

2009-1-175

SECTION 175. IC 35-38-1-7.1, as amended by this act, and IC 35-42-4-12 and IC 35-42-4-13, both as added by this act, apply only to crimes committed after June 30, 2008.

2009-7-2

SECTION 2. (a) IC 25-26-22, as added by this act, applies only to an audit related to pharmacy services that are provided after June 30, 2009.

(b) This SECTION expires June 30, 2014.

2009-7-3

SECTION 3. (a) Before November 1, 2009, the health finance commission (established by IC 2-5-23-3) shall study and make recommendations concerning the following:

(1) Whether pharmacy audits conducted under IC 25-26-22 (as added by this act) should provide for an independent third party appeal.

(2) If an independent third party audit is recommended, who should pay the costs for the audit.

(b) This SECTION expires December 1, 2009.

2009-23-2

SECTION 2. (a) The initial terms of office of the appointed members of the invasive species council established by IC 15-16-10-5, as added by this act, are as follows:

(1) One (1) member appointed under IC 15-16-10-5(a)(7) and one

(1) member appointed under IC 15-16-10-5(a)(8), three (3) years.

(2) One (1) member appointed under IC 15-16-10-5(a)(8) and one

(1) member appointed under IC 15-16-10-5(a)(9), two (2) years.

(3) One (1) member appointed under IC 15-16-10-5(a)(9), one (1) year.

The governor shall specify the term of each member described in subdivisions (1), (2), and (3) when making the initial appointments.

(b) The initial terms of the appointed members begin July 1, 2009.

(c) The first meeting of the council must convene not later than October 1, 2009.

(d) This SECTION expires July 1, 2012.

2009-32-4

SECTION 4. IC 36-8-8-12 and IC 36-8-8-13.5, both as amended by this act, apply to a member of the 1977 police officers' and firefighters' pension and disability fund who:

(1) after June 30, 2009, receives a benefit based on a determination that the member has a Class 1 or Class 2 impairment, regardless of whether the determination was made before, on, or after June 30, 2009; and

(2) before July 1, 2009, has not had the member's disability benefit recalculated under IC 36-8-8-13.5 (as the section read before amendment by this act).

2009-33-3

SECTION 3. (a) As used in this SECTION, "commission" refers to the pension management oversight commission established by IC 2-5-12-1.

(b) The general assembly urges the legislative council to assign to the commission the study of whether an individual who has been terminated from employment must file a wage claim with the department of labor before filing a civil lawsuit seeking recovery of unpaid wages under IC 22-2-5-2.

(c) If the commission is assigned the topic described in subsection (b), the commission shall issue a final report to the legislative council containing the commission's findings and recommendations concerning the topic, including any recommended legislation, not later than November 1, 2009.

(d) This SECTION expires June 30, 2010.

2009-34-4

SECTION 4. IC 36-8-8-12 and IC 36-8-8-13.5, both as amended by this act, apply to a member of the 1977 police officers' and firefighters' pension and disability fund who:

(1) after June 30, 2009, receives a benefit based on a determination that the member has a Class 1 or Class 2 impairment, regardless of whether the determination was made before, on, or after June 30, 2009; and

(2) before July 1, 2009, has not had the member's disability benefit recalculated under IC 36-8-8-13.5 (as the section read before amendment by this act).

2009-40-3

SECTION 3. IC 35-42-1-6, as amended by this act, and IC 35-50-2-16, as added by this act, apply only to a crime committed after June 30, 2009.

2009-43-25

SECTION 25. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) The commission shall study during the 2009 interim whether Indiana should require an endangered adult (as defined in IC 12-10-3-2(a)) to wear an electronic device to assist with locating the endangered adult if the endangered adult is lost or missing.

(c) This SECTION expires December 31, 2009.

2009-46-3

SECTION 3. (a) IC 27-8-32, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after December 31, 2009.

(b) IC 27-13-7-20, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after December 31, 2009.

(c) This SECTION expires December 31, 2014.

2009-55-2

SECTION 2. (a) Notwithstanding IC 21-13-3-5, as amended by this act, a nursing student who, before July 1, 2009, is qualified for a scholarship under IC 21-13-3-5, before its amendment by this act, and has not agreed to work in a facility described in IC 21-13-3-5(2), as amended by this act, is eligible to renew the scholarship according to the requirements of IC 21-13-3-5, before its amendment by this act, and IC 21-13-3-6.

(b) This SECTION expires June 30, 2011.

2009-57-19

SECTION 19. (a) The treasurer of state shall retain in the lead trust fund reestablished by IC 16-41-39.8, as added by this act, the balance in that fund on December 31, 2009.

(b) This SECTION expires July 1, 2010.

2009-66-5

SECTION 5. (a) As used in this SECTION, "department" refers to the department of education established by IC 20-19-3-1.

(b) Not later than June 1, 2010, the department shall develop and make available to school corporations a model evidence based plan for improving discipline and behavior within schools. The department shall consult with the division of child services, the division of mental health and addiction, parent organizations, and state educational institutions in developing a model plan.

(c) A model plan developed under subsection (b) must include guidelines for accomplishing the following results:

- (1) Improving safe school planning and classroom management using positive behavioral supports, parental involvement, and other effective disciplinary tools.
- (2) Providing improved mental health services in or through schools.
- (3) Reviewing zero tolerance policies to ensure:
 - (A) compliance with applicable laws; and
 - (B) that students are not inappropriately referred to juvenile justice agencies.
- (4) Providing assistance to parents concerning access to family strengthening programs.
- (5) Improving communication, coordination, and collaboration among schools, including special education programs, parents, and juvenile justice agencies.
- (6) Improving methods and procedures for school suspensions and referrals to alternative schools.
- (7) Providing for the collection, review, and reporting on an annual basis of school behavioral and disciplinary problems, arrests, and referrals to the juvenile justice system, disaggregated on the basis of race and ethnicity, under guidelines for determining the existence of disproportionality in discipline or inappropriately high rates of suspension or expulsion.

(d) Not later than July 1, 2011, a governing body must work with parents to develop and submit to the department a plan for improving behavior and discipline in the school corporation after receiving a

model plan developed by the department.

(e) The department, in collaboration with the department of child services, the division of mental health and addiction, state educational institutions, and parent organizations, shall provide assistance to a school corporation in the implementation of the school corporation's plan developed under subsection (d) to ensure that teachers and administrators receive appropriate professional development to prepare them to carry out the plan for supporting student behavior and discipline.

(f) Each school shall annually report the information under subsection (c)(7) to the department.

(g) This SECTION expires June 30, 2011.

2009-67-3

SECTION 3. (a) This SECTION applies to IC 5-10.2-10, as added by this act.

(b) The definitions in IC 5-10.2 apply throughout this SECTION.

(c) The general assembly finds the following:

(1) Mandatory divestment by the funds of the funds' holdings in certain companies is a measure that should be employed only under extraordinary circumstances.

(2) States that are designated as a state sponsor of terror by the Secretary of State of the United States are providing military, financial, political, diplomatic, and organizational aid to known terrorist groups.

(3) Support for terrorism and the acquisition of weapons of mass destruction represent a grave threat to the security of the United States and to the citizens of the state of Indiana.

(4) The threat from terrorism to the security of the United States and to the citizens of the state of Indiana constitutes the extraordinary circumstances necessary for mandatory divestment by the funds of the funds' holdings in scrutinized companies with active business operations in a state sponsor of terror.

2009-69-13

SECTION 13. (a) Any money remaining on June 30, 2009, in the governors' portraits fund under IC 4-23-7.2-9, as repealed by this act, is transferred on July 1, 2009, to the governors' portraits fund established by IC 14-20-16-2, as added by this act.

(b) This SECTION expires July 2, 2009.

2009-70-5

SECTION 5. IC 9-21-8-52, as amended by this act, applies only to crimes committed after June 30, 2009.

2009-74-2

SECTION 2. (a) IC 27-8-9-7, as amended by this act, applies to a case arising after June 30, 2009.

(b) This SECTION expires July 1, 2014.

2009-75-4

SECTION 4. IC 6-1.1-12-2 and IC 6-1.1-12-44, both as amended by this act, apply only to:

- (1) sales disclosure forms and mortgage deduction application forms filed after 2008; and
- (2) property taxes first due and payable after 2009.

2009-75-5

SECTION 5. (a) The general assembly recognizes that the amendments to IC 6-1.1-5.5-5 by this act (effective upon passage) are also made in IC 6-1.1-5.5-5, as amended by HEA 1344-2009 (effective July 1, 2009).

(b) The publisher of the Indiana Code shall publish IC 6-1.1-5.5-5, as amended by this act, in the Indiana Code, to be effective until July 1, 2009.

(c) The publisher of the Indiana Code shall publish IC 6-1.1-5.5-5, as amended by HEA 1344-2009, in the Indiana Code, to be effective July 1, 2009.

(d) This SECTION expires December 31, 2009.

2009-78-27

SECTION 27. (a) The environmental quality service council established by IC 13-13-7-1 shall do the following:

(1) Conduct a study and develop recommendations concerning the advisability of establishing an institutional control registry and an environmental trust fund:

- (A) as set forth in SB 460-2009; or
- (B) in a different manner.

(2) Conduct a study and develop recommendations concerning the feasibility of incorporating notice of:

- (A) restrictive covenants; and
- (B) environmental restrictive ordinances;

into the "One Call" system managed by the Indiana Underground Plant Protection Service under IC 8-1-26.

(b) The environmental quality service council shall include its findings and recommendations developed under subsection (a) in the council's 2009 final report to the legislative council.

(c) This SECTION expires January 1, 2010.

2009-79-2

SECTION 2. IC 35-43-2-3, as amended by this act, applies only to crimes committed after June 30, 2009.

2009-80-3

SECTION 3. (a) IC 11-12-5-5.5, as added by this act, does not limit, repeal, or supersede a contract:

- (1) executed before July 1, 2009;
- (2) between a physician, hospital, or other health care provider and a county or sheriff; and
- (3) concerning reimbursement for a health care service provided to a person who is subject to lawful detention by a county sheriff.

(b) This SECTION expires July 1, 2011.

2009-83-3

SECTION 3. (a) As used in this SECTION, "task force" refers to the water resources task force established by IC 14-25-16-2, as added by this act.

(b) The director of the department of natural resources shall make appointments to the task force by October 1, 2009.

(c) Notwithstanding IC 14-25-16-3(a), as added by this act, the initial terms of the members of the task force are as follows:

(1) Fifty percent (50%) of the members serve a term of two (2) years.

(2) Fifty percent (50%) of the members serve a term of four (4) years.

The director of the department of natural resources shall designate whether a member is appointed to a term described in subdivision (1) or a term described in subdivision (2).

(d) The initial term of a member of the task force begins January 1, 2010.

(e) This SECTION expires July 1, 2014.

2009-83-4

SECTION 4. (a) For purposes of this SECTION, "committee" refers to the water resources study committee established by IC 2-5-25-1.

(b) The committee shall evaluate the following issues during the 2009 interim:

(1) The standardization of the regulation of residential irrigation system installations.

(2) The development of continuing education programs and uniform rules to preserve ground water by individuals engaged in:

(A) water well drilling;

(B) pump installation;

(C) well abandonment operations; and

(D) operating wells, pumps, and abandoned wells.

(c) The committee shall submit a report of the findings of the committee to the legislative council not later than December 31, 2009.

(d) This SECTION expires December 31, 2009.

2009-87-16

SECTION 16. (a) The commission on state tax and financing policy established under IC 2-5-3 shall in 2011 study issues related to the notice provided under IC 6-1.1-22-8.1(b)(9), as added by this act, and the termination of deductions under that provision.

(b) Before November 1, 2011, the commission on state tax and financing policy shall report findings and make recommendations concerning the study topic described in subsection (a) in a final report to the legislative council in an electronic format under IC 5-14-6.

(c) This SECTION expires July 1, 2012.

2009-90-3

SECTION 3. (a) This SECTION applies to one (1) or more parcels of real property in a county that:

(1) after March 1, 2008, and before November 11, 2008, are

permanently flooded or to which access over land is permanently prevented after March 1, 2008, and before November 11, 2008, by flooding; and

(2) are not being used for agricultural purposes.

(b) Not later than July 1, 2009, the owner of one (1) or more parcels referred to in subsection (a) may petition the county assessor for a reassessment of the parcel or parcels. Upon receipt of the petition, the county assessor shall:

(1) cause a survey to be made of the parcel or parcels; and

(2) if the parcel or parcels meet the description of subsection (a), order a reassessment of the parcel or parcels that:

(A) subject to subsection (d), takes effect for the assessment dates in 2007 and 2008; and

(B) treats the parcel or parcels for those assessment dates as:

(i) being permanently flooded; or

(ii) having overland access permanently prevented by flooding.

(c) The county assessor shall specify in an order under subsection (b) the time within which the reassessment must be completed and the assessment dates for which the reassessment takes effect.

(d) If the county assessor orders a reassessment under subsection (b):

(1) the property owner is entitled to a refund of property taxes in the amount of one-half (1/2) of the remainder of:

(A) the amount paid by the property owner with respect to the parcel or parcels for 2007 property taxes first due and payable in 2008; minus

(B) the 2007 property taxes first due and payable in 2008 with respect to the parcel or parcels determined based on the reassessment; and

(2) the 2008 property taxes first due and payable in 2009 with respect to the parcel or parcels are determined based on the reassessment.

(e) A property owner is not required to apply for a refund due under this SECTION. The county auditor shall, without an appropriation being required, issue a warrant to the property owner payable from the county general fund for the amount of the refund, if any, due the property owner. No interest is payable on the refund.

(f) The county auditor and county treasurer shall publish notice of the availability of a reassessment under this SECTION in accordance with IC 5-3-1.

(g) This SECTION expires January 1, 2010.

2009-90-4

SECTION 4. IC 6-1.1-4-11.5, as added by this act, applies only to property taxes first due and payable after 2008.

2009-100-5

SECTION 5. (a) The department of education, the department of child services, the state student assistance commission, and the commission for higher education shall jointly:

- (1) study whether there is a need for a foster care educational assistance program to assist a person who received foster care with educational assistance to supplement federal and state educational grants and assistance programs; and
- (2) submit a report containing recommendations to the legislative council by October 1, 2009, concerning:
 - (A) whether legislation should be proposed to establish a foster care education assistance program; and
 - (B) the best agency to administer a foster care education assistance program.

The report made to the legislative council must be in an electronic format under IC 5-14-6.

(b) This section expires December 31, 2009.

2009-101-19

SECTION 19. (a) Notwithstanding IC 5-2-6.5-9(e), as added by this act, the Indiana criminal justice institute established by IC 5-2-6-3 shall, under interim written guidelines approved by the executive director of the Indiana criminal justice institute, provide that after June 30, 2010, the classroom training provided by licensed commercial driver training schools may not be provided to a child less than fifteen (15) years and one hundred eighty (180) days of age.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 5-2-6.5-9(e), as added by this act.
- (2) December 31, 2011.

2009-101-20

SECTION 20. (a) Notwithstanding IC 20-19-2-8(a)(4), as amended by this act, the Indiana state board of education shall, under interim written guidelines approved by the state superintendent of public instruction, provide that after June 30, 2010, the classroom training provided by public schools and private schools under the authority of the department of education may not be provided to a child less than fifteen (15) years and one hundred eighty (180) days of age.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 20-19-2-8(a)(4), as amended by this act.
- (2) December 31, 2011.

2009-101-21

SECTION 21. (a) As used in this section, "committee" refers to the interim study committee on driver education established by this SECTION.

(b) There is established the interim study committee on driver education. The committee shall study:

- (1) the administration of driver education by the bureau of motor vehicles and the department of education;
- (2) standards for an Internet component of driver instruction;
- (3) standards for a classroom component of driver instruction;
- (4) penalties for instructional providers that fail to follow the

standards for instruction driving experience;

(5) statistics for moving violations accrued by individuals less than eighteen (18) years of age who had:

(A) taken driver education with a classroom component of driver instruction;

(B) taken an Internet component of driver instruction; and

(C) no formal driver education;

(6) the effectiveness of driver education courses on the accident rates of young drivers; and

(7) the standards and curriculum content for an effective driver education program.

(c) Not later than November 1 in the years 2009 through 2014, the state police department shall make a written report to the:

(1) legislative council; and

(2) governor;

concerning motor vehicle accidents and fatalities resulting from motor vehicle accidents in the preceding year involving operators of a motor vehicle who were at least fifteen (15) years and one hundred eighty (180) days of age and less than twenty (20) years of age. The report to the legislative council must be in an electronic format under IC 5-14-6.

(d) The committee shall operate under the policies governing study committees adopted by the legislative council.

(e) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(f) This SECTION expires December 31, 2014.

2009-107-2

SECTION 2. (a) As used in this SECTION, "state department" refers to the state department of health established by IC 16-19-1-1.

(b) The state department shall change the state department's Breast and Cervical Cancer Screening Program plan in a manner that will designate Indiana as an option three state, allowing a woman who is screened by other providers and entities to be identified by the state department as a part of the state's program, for as long as the state department is a federal Title XV grant recipient.

(c) This SECTION expires December 31, 2012.

2009-109-5

SECTION 5. (a) IC 5-10-8-15, as added by this act, applies to a state employee health plan that is established, entered into, issued, delivered, amended, or renewed after June 30, 2009.

(b) IC 12-15-5-9.2, as added by this act, applies to a Medicaid risk based managed care contract that is entered into, delivered, amended, or renewed after June 30, 2009.

(c) IC 27-8-25, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2009.

(d) IC 27-13-7-20.2, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2009.

(e) This SECTION expires July 1, 2014.

2009-110-19

SECTION 19. IC 35-44-2-5, as added by this act, applies only to offenses committed after June 30, 2009.

2009-110-20

SECTION 20. (a) The department of homeland security may adopt emergency rules to implement IC 10-14-4-6, as amended by this act, in the manner provided for the adoption of emergency rules under IC 4-22-2-37.1.

(b) An emergency rule adopted under this SECTION expires on the earlier of:

(1) the date the department of homeland security adopts permanent rules under IC 4-22-2 to replace the emergency rules; or

(2) July 1, 2011.

(c) This SECTION expires July 1, 2011.

2009-110-21

SECTION 21. (a) IC 22-14-3-2, as amended by this act, applies to amusement and entertainment permits issued after June 30, 2009.

(b) This subsection applies to an unexpired amusement and entertainment permit issued before July 1, 2009. Notwithstanding IC 22-14-3-2, as amended by this act, an amusement and entertainment permit expires one (1) year after the date of issuance.

(c) This SECTION expires December 31, 2010.

2009-111-15

SECTION 15. IC 15-21-2-3, IC 15-21-3-1, and IC 15-21-3-2, all as added by this act, and IC 35-46-3-0.5, IC 35-46-3-7, IC 35-46-3-10, and IC 35-46-3-12, all as amended by this act, apply only to crimes committed after June 30, 2009.

2009-113-3

SECTION 3. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund established by IC 5-10.4-2-1.

(b) Not later than October 1, 2009, the fund shall pay the amount determined under subsection (c) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled before January 1, 2009, and who is entitled to receive a monthly benefit on July 1, 2009. The amount is not an increase in the pension portion of the monthly benefit.

(c) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) is determined as follows:

If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150

At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450

(d) The creditable service used to determine the amount paid to a member (or a survivor or beneficiary of a member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4 except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(e) This SECTION expires January 1, 2010.

2009-113-4

SECTION 4. (a) The definitions in IC 5-10.2 apply to this SECTION.

(b) The fund must make a reasonable effort to:

(1) identify a surviving spouse or surviving dependent of a member who:

(A) died after December 31, 2006;

(B) had at least ten (10) years of creditable service; and

(C) was not eligible for a survivor benefit under IC 5-10.2-3-7.5, before its amendment by this act, but is eligible for a survivor benefit under IC 5-10.2-3-7.5, after its amendment by this act; and

(2) notify an individual described in subdivision (1) of changes made by this act.

The fund is considered to have made a reasonable effort to notify a surviving spouse or surviving dependent of changes made by this act if the fund mails notification of changes made by this act to the member's last known address.

(c) Notwithstanding IC 5-10.2-3-7.5(k), as amended by this act, a surviving spouse or a surviving dependent who qualifies for a survivor benefit under IC 5-10.2-3-7.5(c) or IC 5-10.2-3-7.5(d), both as amended by this act, for a member described in subsection (b), who died after December 31, 2006, may claim the survivor benefit on or before the later of the following:

(1) June 30, 2009.

(2) The date the survivor benefit is forfeited to the member's retirement fund under IC 5-10.2-3-7.5(k), as amended by this act.

(d) This SECTION expires January 1, 2010.

2009-114-5

SECTION 5. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) The office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan if the office determines the amendment is necessary to carry out IC 12-15-1-20.4, as added by this act.

(c) The office may not implement a state plan amendment under this SECTION until the office files an affidavit with the governor attesting that the plan amendment filed under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the plan amendment is approved.

(d) If the office receives a plan amendment under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (c), the office shall implement the plan amendment not more than sixty (60) days after the governor receives the affidavit.

(e) This SECTION expires December 31, 2013.

2009-115-22

SECTION 22. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund established by IC 5-10.3-2-1.

(b) Not later than October 1, 2009, the fund shall pay the amount determined under subsection (c) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled before January 1, 2009, and who is entitled to receive a monthly benefit on July 1, 2009. The amount is not an increase in the pension portion of the monthly benefit.

(c) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) is determined as follows:

If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450

(d) The creditable service used to determine the amount paid to a member (or to a survivor or beneficiary of the member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4 except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(e) This SECTION expires January 1, 2010.

2009-116-17

SECTION 17. (a) The division of state court administration shall submit to the general assembly before January 15, 2011, and before January 15 of each subsequent year, a report in an electronic format under IC 5-14-6 concerning:

- (1) the frequency with which GPS tracking was ordered by a court as part of an order for protection;
- (2) the costs associated with GPS tracking;
- (3) the circumstances under which GPS tracking was ordered;
- (4) whether GPS tracking with victim notification capabilities was:
 - (A) available; and
 - (B) ordered by a court; and
- (5) any other relevant information relating to electronic monitoring.

The division of state court administration may include the information

as a part of its annual report under IC 33-24-6-3 or as a separate report.

(b) This SECTION expires January 30, 2013.

2009-117-1

SECTION 1. (a) The area agencies on aging shall compile a report for the division of aging established by IC 12-9.1-1-1 setting forth the following information for calendar year 2009:

(1) The process an individual must follow to be approved to use consumer directed care under a Medicaid waiver or the community and home options to institutional care for the elderly and disabled (CHOICE) program, including the time it takes for an individual to get approved and receive services, and whether this time varies according to the funding source or the area of Indiana in which the individual lives.

(2) Any barriers to using consumer directed care, including any individuals on a waiting list for services.

(b) Based on the findings set forth in the report required under subsection (a), the division of aging shall make to the legislative council and the health finance commission established by IC 2-5-23-3 any recommendations needed to improve the delivery of consumer directed care.

(c) The report required in subsection (a) shall be submitted in an electronic format under IC 5-14-6 to the legislative council and the health finance commission not later than July 1, 2010.

(d) This SECTION expires December 31, 2010.

2009-122-31

SECTION 31. (a) The definitions in IC 25-23.6-1, as amended by this act, apply throughout this SECTION.

(b) Notwithstanding IC 25-23.6-2-2(a)(7), as amended by this act, before July 1, 2010, a clinical addiction counselor member of the board is not required to be licensed under IC 25-23.6.

(c) Notwithstanding IC 25-23.6-2-2(a), as amended by this act, the two (2) members initially appointed to the board under IC 25-23.6-2-2(a)(7), as amended by this act, shall be appointed to terms beginning July 1, 2009, as follows:

(1) One (1) licensed clinical addiction counselor shall be appointed to a term of two (2) years by the governor from among individuals recommended by the president pro tempore of the senate.

(2) One (1) licensed clinical addiction counselor shall be appointed to a term of three (3) years by the governor from among individuals recommended by the speaker of the house of representatives.

(d) Notwithstanding IC 25-23.6-2-2(b), as amended by this act, a member of the board may continue to serve until the member's term expires.

(e) This SECTION expires July 2, 2013.

2009-124-2

SECTION 2. (a) As used in this SECTION, "commercial vehicle

policy" means an insurance policy that provides coverage for at least one (1) of the following:

- (1) A motor vehicle that is rated or insured as a business or commercial vehicle.
- (2) A motor vehicle that is licensed by the state as a commercial vehicle.
- (3) A commercial motor vehicle business, including an:
 - (A) individual who; or
 - (B) entity that;
is in the business or occupation of selling, repairing, servicing, storing, or parking motor vehicles, including a business that is a commercial garage operation, an automobile sales entity, a motor vehicle repair entity, a motor vehicle service station, or a public parking operation.
- (4) A motor vehicle that is used as a public or private livery or a rental conveyance.
- (5) A motor vehicle that is owned or used by a named insured that is not a natural person.

(b) Notwithstanding the effective date of the SECTION of this act amending IC 27-7-5-2, IC 27-7-5-2, as amended by this act, applies to a commercial vehicle policy that is issued or delivered after December 31, 2009.

(c) Notwithstanding the effective date of the SECTION of this act amending IC 27-7-5-2, an insurer shall make available to the policyholder of a commercial vehicle policy that is in effect before and on January 1, 2010, uninsured motorist coverage and underinsured motorist coverage as required by IC 27-7-5-2, as amended by this act, on the date of the first renewal of the commercial vehicle policy that occurs after December 31, 2009.

(d) This SECTION expires December 31, 2015.

2009-124-3

SECTION 3. Notwithstanding the effective date of the SECTION of this act amending IC 27-7-5-2, IC 27-7-5-2, as amended by this act, applies to a case in which:

- (1) a claim under a policy's uninsured motorist coverage or underinsured motorist coverage arises after December 31, 2009;
- (2) a rejection is made under IC 27-7-5-2, as amended by this act, of the uninsured motorist coverage or underinsured motorist coverage under which the claim described in subdivision (1) is made; and
- (3) the rejection described in subdivision (2) is made after December 31, 2009.

2009-125-10

SECTION 10. IC 35-42-4-7 and IC 35-50-2-14, both as amended by this act, apply only to crimes committed after June 30, 2009.

2009-127-14

effective date of:

- (1) IC 13-18-10-1.4, as added by this act; and

(2) the amendments under this act to IC 13-11-2-8, IC 13-11-2-40, IC 13-11-2-191, IC 13-18-10-1, IC 13-18-10-2, IC 13-18-10-2.1, and IC 13-18-10-2.2.

(b) The definitions in IC 13-11-2 apply throughout this SECTION.

(c) Subject to subsection (d), the Indiana Code sections referred to in subsection (a), as added or amended by this act, apply to a confined feeding operation for which a person is required to submit an application to the department for approval under IC 13-18-10-1, as amended by this act, in the same manner those sections would have applied if those sections had been in effect on the date the application was submitted to the department.

(d) Subsection (c) applies only if an application referred to in subsection (c) was not approved by the department before the effective date of this SECTION.

2009-128-3

SECTION 3. (a) As used in this SECTION, "committee" refers to the sentencing policy study committee established by subsection (c).

(b) The general assembly finds that a comprehensive study of sentencing laws and policies is desirable in order to:

- (1) ensure that sentencing laws and policies protect the public safety;
- (2) establish fairness and uniformity in sentencing laws and policies;
- (3) determine whether incarceration or alternative sanctions are appropriate for various categories of criminal offenses; and
- (4) maximize cost effectiveness in the administration of sentencing laws and policies.

(c) The sentencing policy study committee is established to evaluate sentencing laws and policies as they relate to:

- (1) the purposes of the criminal justice and corrections systems;
- (2) the availability of sentencing options; and
- (3) the inmate population in department of correction facilities.

If, based on the committee's evaluation under this subsection, the committee determines changes are necessary or appropriate, the committee shall make recommendations to the general assembly for the modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options.

(d) The committee shall do the following:

(1) Evaluate the existing classification of criminal offenses into felony and misdemeanor categories. In determining the proper category for each felony and misdemeanor, the committee shall consider, to the extent they have relevance, the following:

(A) The nature and degree of harm likely to be caused by the offense, including whether the offense involves property, irreplaceable property, a person, a number of persons, or a breach of the public trust.

(B) The deterrent effect a particular classification may have on the commission of the offense.

(C) The current incidence of the offense in Indiana.

(D) The rights of the victim.

(2) Recommend structures to be used by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, including any combination of imprisonment, probation, restitution, community service, or house arrest. The committee shall also consider the following:

- (A) The nature and characteristics of the offense.
- (B) The severity of the offense in relation to other offenses.
- (C) The characteristics of the defendant that mitigate or aggravate the seriousness of the criminal conduct and the punishment deserved for that conduct.
- (D) The number of the defendant's prior convictions.
- (E) The available resources and capacity of the department of correction, local confinement facilities, and community based sanctions.
- (F) The rights of the victim.

The committee shall include with each set of sentencing structures an estimate of the effect of the sentencing structures on the department of correction and local facilities with respect to both fiscal impact and inmate population.

(3) Review community corrections and home detention programs for the purpose of:

- (A) standardizing procedures and establishing rules for the supervision of home detainees; and
- (B) establishing procedures for the supervision of home detainees by community corrections programs of adjoining counties.

(4) Determine the long range needs of the criminal justice and corrections systems and recommend policy priorities for those systems.

(5) Identify critical problems in the criminal justice and corrections systems and recommend strategies to solve the problems.

(6) Assess the cost effectiveness of the use of state and local funds in the criminal justice and corrections systems.

(7) Recommend a comprehensive community corrections strategy based on the following:

- (A) A review of existing community corrections programs.
- (B) The identification of additional types of community corrections programs necessary to create an effective continuum of corrections sanctions.
- (C) The identification of categories of offenders who should be eligible for sentencing to community corrections programs and the impact that changes to the existing system of community corrections programs would have on sentencing practices.
- (D) The identification of necessary changes in state oversight and coordination of community corrections programs.
- (E) An evaluation of mechanisms for state funding and local community participation in the operation and implementation of community corrections programs.
- (F) An analysis of the rate of recidivism of clients under the supervision of existing community corrections programs.

(8) Propose plans, programs, and legislation for improving the effectiveness of the criminal justice and corrections systems.

(9) Evaluate the use of faith based organizations as an alternative to incarceration.

(10) Study issues related to sex offenders, including:

(A) lifetime parole;

(B) GPS or other electronic monitoring;

(C) a classification system for sex offenders;

(D) recidivism; and

(E) treatment.

(e) In 2009, the committee shall evaluate whether the state should pay all costs of trial in a prosecution for an offense committed at a state correctional facility.

(f) The committee may study other topics assigned by the legislative council or as directed by the committee chair. The committee may meet as often as necessary.

(g) The committee consists of twenty (20) members appointed as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) The chief justice of the supreme court or the chief justice's designee.

(4) The commissioner of the department of correction or the commissioner's designee.

(5) The director of the Indiana criminal justice institute or the director's designee.

(6) The executive director of the prosecuting attorneys council of Indiana or the executive director's designee.

(7) The executive director of the public defender council of Indiana or the executive director's designee.

(8) One (1) person with experience in administering community corrections programs, appointed by the governor.

(9) One (1) person with experience in administering probation programs, appointed by the governor.

(10) Two (2) judges who exercise juvenile jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(11) Two (2) judges who exercise criminal jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(12) One (1) board certified psychologist or psychiatrist who has expertise in treating sex offenders, appointed by the governor to act as a nonvoting advisor to the committee.

(h) The chairman of the legislative council shall appoint a legislative member of the committee to serve as the chairperson of the committee. Whenever there is a new chairman of the legislative

council, the new chairman may remove the chairperson of the committee and appoint another chairperson.

(i) If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the committee.

(j) A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

(k) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(l) The committee shall submit:

(1) an interim report of the results of its study to the legislative council before November 1, 2008; and

(2) a final report of the results of its study to the legislative council before November 1, 2010.

The interim and final reports must be in an electronic format under IC 5-14-6.

(m) The Indiana criminal justice institute shall provide staff support to the committee.

(n) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(o) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including the final report.

(p) Except as otherwise specifically provided by this act, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this act shall be paid from appropriations to the legislative council and legislative services agency.

(q) This SECTION expires December 31, 2010.

2009-129-9

SECTION 9. IC 34-23-2-1, as amended by this act, applies only to a cause of action that accrues after June 30, 2009.

2009-130-29

SECTION 29. (a) On June 30, 2009, the balance of the domestic violence prevention and treatment fund established under IC 12-18-4, before its repeal by this act, shall be transferred to the domestic violence prevention and treatment fund established by IC 5-2-6.7-4, as added by this act.

(b) This SECTION expires January 1, 2010.

2009-130-30

SECTION 30. (a) On June 30, 2009, the balance of the family violence and victim assistance fund established under IC 12-18-5, before its repeal by this act, shall be transferred to the family violence and victim assistance fund established by IC 5-2-6.8-3, as added by this act.

(b) This SECTION expires January 1, 2010.

2009-130-31

SECTION 31. (a) On June 30, 2009, two (2) positions are created in the Indiana criminal justice institute. Employees filling the two (2) positions shall have the responsibility of administering:

- (1) sexual offense services;
- (2) domestic violence programs; and
- (3) assistance to victims of human and sexual trafficking offenses as provided in IC 35-42-3.5-4, as amended by this act.

(b) If a position is filled by a current state employee, the employee is entitled to:

- (1) have the employee's service before June 30, 2009, recognized for the purposes of computing retention points under IC 4-15-2-32 if a layoff occurs; and
 - (2) all other applicable employee benefits.
- (c) This SECTION expires July 1, 2011.

2009-131-77

SECTION 77. (a) The department of child services, in cooperation with the department of education, shall develop and coordinate the education advocates for children in foster care plan. The plan must:

- (1) specify the best approach to coordinate the transfer of a child in foster care between schools and between school districts, including the transfer of a child's school records and any individual education plans;
- (2) address specific educational issues encountered by children in foster care;
- (3) specify with whom the department may partner to assist with the educational needs of a child in foster care;
- (4) specify how school corporation liaisons, under IC 20-50-1, and the programs for tutoring and mentoring for homeless children and foster care children, under IC 20-5-2, could assist the department with foster care children; and
- (5) recommend legislation to fulfill the plan.

(b) The department shall submit a report to the governor and the legislative council before July 1, 2010. The report must include details of the plan described in subsection (a). The report submitted to the legislative council must be in an electronic format under IC 5-14-6.

(c) This SECTION expires December 31, 2010.

2009-131-78

SECTION 78. (a) As used in this SECTION, "commission" refers to the commission on childhood poverty in Indiana established by subsection (b).

(b) The commission on childhood poverty in Indiana is established. The commission shall evaluate the costs and effects of childhood poverty and provide a plan to reduce childhood poverty by fifty percent (50%) in Indiana by the year 2020.

(c) The commission consists of the following members:

- (1) The dean of the Indiana University School of Social Work, or the dean's designee, who shall serve as chairperson of the commission.

- (2) The state superintendent of public instruction, or the superintendent's designee.
- (3) The director of the division of family resources, or the director's designee.
- (4) The director of the Indiana housing and community development authority, or the director's designee.
- (5) The director of the department of workforce development, or the director's designee.
- (6) The commissioner of the state department of health, or the commissioner's designee.
- (7) The director of the office of faith based and community initiatives.
- (8) One (1) representative from the National Association of Social Workers - Indiana Chapter.
- (9) One (1) representative from the Indiana Community Action Association.
- (10) One (1) representative from the Children's Coalition of Indiana.
- (11) One (1) representative from the Indiana Youth Services Association.
- (12) One (1) representative from the Indianapolis Urban League.
- (13) One (1) representative from the Coalition for Homelessness, Intervention, and Prevention.
- (14) One (1) representative from the Indiana Association of United Ways.
- (15) One (1) representative from Indiana Legal Services.
- (16) One (1) representative from the Purdue University Department of Early Childhood and Family Development.
- (17) One (1) representative from the University of Notre Dame, Institute for Latino Studies.
- (18) One (1) representative from an Indiana branch of the National Association for the Advancement of Colored People.
- (19) One (1) representative from the Riley Hospital for Children, Department of Pediatrics.
- (20) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.
- (21) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.

The speaker of the house of representatives shall appoint the members described in subdivisions (8), (10), (12), (14), (16), (18), and (21). The president pro tempore of the senate shall appoint the members described in subdivisions (9), (11), (13), (15), (17), (19), and (20). Vacancies shall be filled by the appointing authority for the remainder of the unexpired term. The initial appointments shall be made not later than August 15, 2009.

(d) Each member appointed under subsection (c) must have knowledge concerning childhood poverty in Indiana.

(e) A majority of the voting members of the commission constitutes

a quorum.

(f) The Indiana University School of Social Work shall staff the commission.

(g) The commission shall meet:

- (1) at the call of the chairperson; and
- (2) as often as necessary to carry out the purposes of this SECTION.

However, the commission shall meet at least quarterly.

(h) The commission has the following responsibilities:

- (1) Identifying and analyzing the occurrence and root causes of urban and rural poverty in Indiana.
- (2) Analyzing the long term effects of poverty on a child, the child's family, and the child's community.
- (3) Analyzing the costs of child poverty to municipalities and Indiana.
- (4) Providing information on statewide public and private programs that address the reduction of child poverty.
- (5) Examining the percentage of the target population served by programs described in subdivision (4) and the current state funding levels for the programs.
- (6) Preparing reports consisting of the commission's findings and recommendations.
- (7) Presenting an implementation plan that includes procedures and priorities for implementing strategies and biannual benchmarks to achieve the reduction of childhood poverty by fifty percent (50%) in Indiana by 2020. The plan must include, but is not limited to, provisions for improving the following for parents and children living in poverty:
 - (A) Workforce training and placement to promote career progression.
 - (B) Education opportunities, including higher education opportunities and literacy programs.
 - (C) Affordable housing.
 - (D) Child care and early education programs.
 - (E) After school programs and mentoring programs.
 - (F) Access to affordable health care, including access to mental health services and substance abuse programs.
 - (G) Streamlining of services through public and private agencies providing human services to low income children and families.

(i) In carrying out its duties, the commission shall consider pertinent studies concerning childhood poverty and take testimony from experts and advocates in the human services field.

(j) The affirmative votes of a majority of the commission's members on the commission are required for the commission to take action on any measure, including making recommendations for the reports required by this SECTION.

(k) Each member of the commission who is not a member of the general assembly is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also not entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4

and other expenses actually incurred in connection with the member's duties, as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(m) The commission shall submit the reports required in subsection (h)(6) and the plan required in subsection (h)(7) to the governor and the legislative council by the following dates:

(1) Not later than December 31, 2010, the commission shall submit an interim report that contains interim findings and recommendations by the commission under subsection (h)(6).

(2) Not later than December 31, 2011, the commission shall submit the commission's final report that contains:

(A) the findings and recommendations of the commission under subsection (h)(6); and

(B) the implementation plan under subsection (h)(7).

The report to the legislative council must be in an electronic format under IC 5-14-6.

(n) The commission shall make the final report available to the public upon request not later than December 31, 2011.

(o) This SECTION expires January 1, 2012.

2009-131-79

SECTION 79. IC 31-30-1-2.5, as amended by this act, applies to proceedings pending on or initiated on or after the effective date of this SECTION.

2009-136-8

SECTION 8. (a) 50 IAC 21-3-3 and any other rule or guideline of the department of local government finance is voided on July 1, 2009, to the extent that it is inconsistent with IC 6-1.1-4-4, IC 6-1.1-4-4.5, or IC 6-1.1-4-13.6, all as amended by this act. Notwithstanding any other law specifying the last date on which the department of local government finance or a political subdivision may certify a professional appraiser, certify computer systems or computer vendors, enter into a contract, or adopt a rule or guidelines for a general reassessment or annual adjustment in assessed value, the acts necessary to certify or recertify a professional appraiser, certify or recertify a computer system or vendor, enter into or amend a contract, or adopt a rule or guideline to conform a certification, contract, rule, or guideline to IC 6-1.1-4-4, IC 6-1.1-4-4.5, or IC 6-1.1-4-13.6, all as amended by this act, may be taken after the effective date of this SECTION.

(b) This SECTION expires July 1, 2010.

2009-137-17

SECTION 17. IC 35-43-5-3.8, as added by this act, and IC 35-43-5-3.5

and IC 35-43-5-4.3, both as amended by this act, apply only to crimes committed after June 30, 2009.

2009-139-1

SECTION 1. (a) As used in this SECTION, "commission" refers to the pension management oversight commission established by IC 2-5-12-1.

(b) The general assembly urges the legislative council to assign to the commission the study of the feasibility of the state personnel department conducting an analysis to determine the comparable work value of the work performed by each class of state employees, including the use of the state personnel department's current job evaluation system or another job evaluation system, if necessary to conduct the analysis.

(c) If the commission is assigned the topic described in subsection (b), the commission shall issue a final report to the legislative council containing the commission's findings and recommendations concerning the topic, including any recommended legislation, not later than November 1, 2009.

(d) This SECTION expires June 30, 2010.

2009-140-2

SECTION 2. (a) As used in this SECTION, "committee" refers to the interim study committee on Medicaid supplemental programs established by this SECTION.

(b) There is established the interim study committee on Medicaid supplemental programs. The committee shall study issues concerning Medicaid supplemental payment programs, including the following:

(1) Federal intergovernmental transfer leveraging and alternative revenue generating options if currently used leveraging is determined by the federal government to be invalid.

(2) The merits and effect of expanding the Indiana check-up plan established by IC 12-15-44.2-3 to cover additional childless adults through a federal Medicaid waiver or Medicaid state plan amendment.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including a final report.

(e) This SECTION expires November 1, 2009.

2009-140-3

SECTION 3. (a) As used in this SECTION, "committee" refers to the legislative evaluation and oversight policy subcommittee established by IC 2-5-21-6.

(b) The committee shall evaluate the following programs under the office of the secretary of family and social services during 2009 and 2010:

(1) The disproportionate share hospital care payment program.

(2) The hospital care for the indigent program.

(3) The hospital care for the indigent upper payment level

program.

(c) The committee shall submit a report of the findings of the committee to the legislative council not later than July 1, 2010.

(d) The report described in this SECTION replaces any other report the committee was previously scheduled to conduct in 2009 and report on by July 1, 2010.

(e) This SECTION expires December 31, 2010.

2009-143-49

SECTION 49. IC 30-2-13-38 and IC 35-45-6-1, both as amended by this act, apply only to crimes committed after June 30, 2009.

2009-143-50

SECTION 50. IC 35-41-4-2, as amended by this act, applies only to crimes committed after June 30, 2009.

2009-143-51

SECTION 51. IC 30-2-14-31, as amended by this act, applies to a trust described in IC 30-2-14-31(h), as amended by this act, on and after the following dates:

- (1) If the trust is not funded as of July 1, 2009, the date of the decedent's death.
- (2) If the trust is initially funded in the calendar year beginning January 1, 2009, the date of the decedent's death.
- (3) If the trust is not described in subdivision (1) or (2), January 1, 2009.

2009-144-4

SECTION 4. (a) The health finance commission established by IC 2-5-23-3 shall, during the 2009 interim, study:

- (1) the effect on insurers, health care providers, insureds, and other patients of a provision in an agreement with a health care provider under IC 27-8-11-3 requiring the health care provider to accept as patients more insureds than:

- (A) the number of insureds specified in the agreement; or
- (B) if there is not a number of insureds specified in the agreement, the number that, in the health care provider's professional judgment, is the greatest number of insureds that the health care provider is able to accept without endangering the health care provider's patients' access to or continuity of care;

- (2) the effect on health maintenance organizations, participating providers, enrollees, and other patients of a provision in a contract between a health maintenance organization and a participating provider requiring the participating provider to accept as patients more enrollees than:

- (A) the number of enrollees specified in the contract; or
- (B) if there is not a number of enrollees specified in the contract, the number that, in the participating provider's professional judgment, is the greatest number of enrollees that the participating provider is able to accept without

endangering the participating provider's patients' access to or continuity of care; and

(3) any other issue related to a provision described in subdivision (1) or (2), as determined by the health finance commission or the legislative council.

(b) The health finance commission shall, not later than November 1, 2009, report the health finance commission's findings and recommendations concerning the study conducted under subsection (a) to the legislative council in an electronic format under IC 5-14-6.

(c) The health finance commission shall, during the 2009 interim, study whether an insurer or health maintenance organization described in IC 27-1-3-31, as added by this act, should be required to directly reimburse an out-of-network health care provider for health care services rendered to an insured or enrollee, considering the report of the insurance commissioner's study and actuarial determinations reported to the health finance commission under IC 27-1-3-31, as added by this act.

(d) This SECTION expires December 31, 2009.

2009-147-18

SECTION 18. (a) Notwithstanding IC 9-23-2-5.5, as added by this act, the secretary of state shall carry out the duties imposed on the secretary of state under IC 9-23-2-5.5, as added by this act, under interim written guidelines approved by the secretary of state.

(b) This SECTION expires on the earlier of the following:

(1) The date rules are adopted under IC 9-23-2-5.5, as added by this act.

(2) December 31, 2010.

2009-148-13

SECTION 13. (a) On August 1, 2009, the budget agency shall transfer any remaining balance in the Indiana corn market development account established under IC 15-15-12-30 (before its repeal) to the retail merchant E85 deduction reimbursement fund established by IC 15-15-12-30.5, as added by this act.

(b) This SECTION expires January 1, 2010.

2009-153-15

SECTION 15. (a) As used in this SECTION, "committee" refers to the Medicaid managed care quality strategy committee created by this SECTION.

(b) The Medicaid managed care quality strategy committee is created to provide information on policy issues concerning Medicaid. The committee shall study issues related to the following:

(1) Emergency room utilization.

(2) Prior authorization.

(3) Standardization of procedures, forms, and service descriptions.

(4) Effectiveness and quality of care.

(5) The number of denials by a managed care organization, the reasons for the denials, and the number of appeals and

overturning of denials by a managed care organization.

(6) How reimbursement rates are determined by a managed care organization, including reimbursement rates for emergency room care and neonatal intensive care.

(c) The committee consists of seven (7) members as follows:

(1) Two (2) individuals representing Medicaid providers.

(2) One (1) individual representing public hospitals.

(3) Two (2) individuals representing Medicaid managed care organizations.

(4) One (1) individual representing mental health professions.

(5) One (1) individual from the office of Medicaid policy and planning, who shall act as chairperson of the committee.

(d) The president pro tempore of the senate shall appoint three (3) members under subsection (c) as follows:

(1) One (1) member described in subsection (c)(1).

(2) One (1) member described in subsection (c)(3).

(3) One (1) member described in subsection (c)(5).

(e) The speaker of the house of representatives shall appoint three (3) members under subsection (c) as follows:

(1) One (1) member described in subsection (c)(1).

(2) One (1) member described in subsection (c)(2).

(3) One (1) member described in subsection (c)(3).

(f) The chairperson of the legislative council shall appoint one (1) member described in subsection (c)(4).

(g) The office of the secretary of family and social services shall staff the committee.

(h) The affirmative votes of a majority of the members are required for the committee to make recommendations.

(i) Before October 1, 2009, and October 1, 2010, the committee shall report to the select joint commission on Medicaid oversight established by IC 2-5-26-3 concerning the committee's recommendations.

(j) This SECTION expires December 31, 2010.

2009-153-16

SECTION 16. (a) As used in this SECTION, "commission" refers to the select joint commission on Medicaid oversight established by IC 2-5-26-3.

(b) Before October 1, 2009, the office of the secretary of family and social services shall provide the commission with information concerning the following:

(1) An update on the medical review team and whether the medical review team has a backlog of cases in need of review.

(2) Coordination of benefits.

(3) The extension of the office of the secretary of family and social services.

(c) During the 2009 interim, the commission shall study the issues and information provided in subsection (b) and determine whether any legislation action is necessary for the 2010 session.

(d) This SECTION expires December 31, 2009.

2009-158-10

SECTION 10. (a) The law enforcement training board shall adopt rules under IC 4-22-2 to provide, as part of the mandatory inservice training program for police officers under IC 5-2-1-9(g), training in the prevention and investigation of the theft of valuable metal (as defined in IC 25-37.5-1-1) and enforcement of the laws relating to the theft of valuable metals, including the laws regulating valuable metal dealers.

(b) This SECTION expires June 30, 2011.

2009-158-11

SECTION 11. IC 35-43-4-2 and IC 35-43-2-2, both as amended by this act, apply only to crimes committed after June 30, 2009.

2009-159-2

SECTION 2. IC 35-44-3-2, as amended by this act, applies only to crimes committed after June 30, 2009.

2009-160-50

SECTION 50. 808 IAC 1-1.1-2, 808 IAC 1-1.1-3, and 808 IAC 1-1.1-4 are void. The publisher of the Indiana Administrative Code and Indiana Register shall remove these sections from the Indiana Administrative Code.

2009-160-51

SECTION 51. (a) The rules adopted by the state boxing commission before July 1, 2009, and in effect on June 30, 2009, shall be treated after June 30, 2009, as the rules of the state athletic commission.

(b) On July 1, 2009, the state athletic commission becomes the owner of all personal property of the state boxing commission abolished by this act.

2009-160-52

SECTION 52. Any rules adopted by the Indiana professional licensing agency before July 1, 2009, and in effect on June 30, 2009, that govern the state boxing commission shall be treated after June 30, 2009, as the rules of the state athletic commission established by IC 25-9-1-1, as amended by this act.

2009-160-53

SECTION 53. (a) As used in this SECTION, "fund" refers to the athletic commission fund created by IC 25-9-1-1.5, as added by this act.

(b) There is appropriated to the fund from the state general fund an amount sufficient to administer IC 25-9-1 for the state fiscal year beginning July 1, 2009, and ending July 1, 2010.

(c) This SECTION expires December 31, 2010.

2009-170-12

this act, apply to this SECTION.

(b) Notwithstanding IC 11-10-4-6.6(b), as added by this act, the initial members appointed by the governor to the advisory committee

are appointed for the following terms:

- (1) Members appointed under IC 11-10-4-6.6(b)(3) and IC 11-10-4-6.6(b)(4) are appointed for a term of four (4) years.
- (2) A member appointed under IC 11-10-4-6.6(b)(5) is appointed for a term of three (3) years.
- (3) A member appointed under IC 11-10-4-6.6(b)(6) is appointed for a term of two (2) years.
- (4) A member appointed under IC 11-10-4-6.6(b)(7) is appointed for a term of one (1) year.

(c) This SECTION expires December 31, 2013.

2009-172-7

SECTION 7. (a) The general assembly urges the legislative council to assign to an interim or statutory study committee the topic of water rights, drainage, and utilities (including utility easements). If a committee is assigned the topic recommended for study by this SECTION, the committee shall consider the following:

- (1) Water and drainage issues as they relate to urban and rural areas.
- (2) Water and drainage issues as they affect the:
 - (A) construction of Class 2 structures;
 - (B) development of land for residential purposes;
 - (C) development of land for commercial and industrial purposes; and
 - (D) operation of utilities (including utility easements).
- (3) The appropriate role of drainage boards.
- (4) The appropriate role of condemnation with respect to water rights, drainage, and water utilities (including utility easements).
- (5) Whether the common enemy doctrine of water diversion should be retained, modified, or abrogated.

(b) This SECTION expires January 1, 2010.

2009-175-49

SECTION 49. (a) As used in this SECTION, "committee" refers to the unemployment insurance oversight committee established by IC 2-5-30-3, as added by this act.

(b) As used in this SECTION, "department" refers to the department of workforce development established by IC 22-4.1-2-1.

(c) As used in this SECTION, "fund" refers to the unemployment insurance benefit fund established under IC 22-4-26.

(d) The commissioner of the department shall do the following, not later than ninety (90) days after the earliest effective date of this act:

- (1) Examine the annual cost of implementing changes to eligibility and other requirements of the state's existing unemployment insurance system in order for the state to qualify for the maximum amount available under the federal American Recovery and Reinvestment Act of 2009 (P.L. 111-5).
- (2) Compare the cost determined in subdivision (1) to the maximum amount available to the state under the federal American Recovery and Reinvestment Act of 2009 (P.L. 111-5) as the result of the state making the changes.

(3) Initiate the changes examined under subdivisions (1) and (2), unless the commissioner determines, after the examination under subdivision (1) and the comparison performed under subdivision (2), that the negative fiscal impact to the fund outweighs the benefits of:

(A) the amounts available to the state under the federal American Recovery and Reinvestment Act of 2009 (P.L. 111-5); and

(B) the expansion of eligibility and other requirements of the state's existing unemployment insurance system.

(4) Submit in an electronic format under IC 5-14-6 to the legislative council, the committee, the speaker of the house of representatives, and the president pro tempore of the senate a report that provides the following:

(A) Details of the commissioner's actions, or the commissioner's decision not to initiate changes, under subdivisions (1), (2), and (3).

(B) Recommendations for any legislation necessary to modify the state's unemployment insurance system in order for the state to qualify for amounts available under the federal American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

(C) An analysis of the fiscal impact to the fund of:

(i) the commissioner's actions, or the commissioner's decision not to initiate changes, under subdivision (3); and

(ii) any legislation recommended under clause (B), if the legislation is enacted.

(e) This SECTION expires July 1, 2011.

2009-176-32

SECTION 32. A large percentage of the land in the city of Bloomington and in Monroe County is not taxable because the land is owned by the state or the federal government, which puts the city and the county at a disadvantage in their ability to fund projects. These special circumstances require legislation particular to the city and county.

2009-177-64

SECTION 64. (a) An individual who, before July 1, 2008, receives a master's or doctoral degree described in IC 25-23.6-8-1(1)(A) and who seeks licensure under IC 25-23.6-8, as amended by P.L.134-2008, may do either of the following:

(1) Seek a marriage and family therapist associate license by:

(A) applying for a marriage and family associate license under IC 25-23.6-8, as amended by P.L.134-2008, if the individual meets the requirements under IC 25-23.6-8, as amended by P.L.134-2008; and

(B) taking the required examination.

Notwithstanding IC 25-23.6-8-2.7(b), as amended by P.L.134-2008, SECTION 43, any postdegree clinical experience that the individual obtained before July 1, 2008, counts toward the

requirements of IC 25-23.6-8, as amended by P.L.134-2008.

(2) Seek a marriage and family therapist license by applying for a marriage and family therapist license under IC 25-23.6-8, as amended by P.L.134-2008, if the individual meets the requirements under IC 25-23.6-8, as amended by P.L.134-2008.

(b) This SECTION expires June 30, 2013.

2009-177-65

SECTION 65. Any action taken under IC 25-22.5-5-4.5 after June 30, 2008, but before the passage of this act is legalized and validated.

2009-177-66

SECTION 66. (a) As used in this SECTION, "board" means a board, commission, or committee.

(b) As used in this SECTION, "committee" refers to the professional licensing study committee established under this SECTION.

(c) The professional licensing study committee is established.

(d) The committee shall do the following:

(1) Study all of the boards that regulate occupations or professions under the Indiana professional licensing agency or the state department of health.

(2) Make recommendations concerning any changes that should be made to a board described under subdivision (1) or the regulation of a profession or occupation by a board described under subdivision (1), including the following recommendations:

(A) Eliminating the board.

(B) Having the board continue regulating the profession or occupation in the same manner that the profession or occupation is currently regulated by the board.

(C) Requiring registration of a profession or occupation through the electronic registry of professions under IC 25-1-5.5, as added by this act.

(D) Requiring national certification or registration of a profession or occupation.

(E) Restructuring the board.

(F) Merging two (2) or more boards.

(e) The committee shall operate under the policies governing study committees adopted by the legislative council.

(f) Before November 1, 2009, the committee shall issue a final report to the legislative council containing the findings and recommendations of the committee.

(g) This SECTION expires December 31, 2009.

2009-181-6

SECTION 6. (a) The definitions that apply to IC 14-13-2 also apply to this SECTION.

(b) Notwithstanding IC 14-13-2-8, the terms of the members of the commission serving on June 30, 2009, expire on June 30, 2009.

(c) The governor shall appoint five (5) members to the commission under IC 14-13-2-7, as amended by this act. Notwithstanding IC 14-13-2-8, the members appointed under this SECTION have the

following initial terms:

- (1) One (1) member has a term of one (1) year.
- (2) One (1) member has a term of two (2) years.
- (3) One (1) member has a term of three (3) years.
- (4) Two (2) members have a term of four (4) years.

(d) An individual appointed to the commission under subsection (c) becomes a member of the commission:

- (1) on July 1, 2009; or
- (2) on the date of appointment, if that date follows July 1, 2009.

However, for purposes of determining when the initial term of a member appointed under subsection (c) expires, July 1, 2009, shall be treated as the date on which the member's term began.

(e) This SECTION expires July 1, 2013.

2009(ss)-182-1

SECTION 1.

(a) The following definitions apply throughout this act:

- (1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.
- (2) "Biennium" means the period beginning July 1, 2009, and ending June 30, 2011. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.
- (3) "Deficiency appropriation" or "special claim" means an appropriation available during the 2008-2009 fiscal year.
- (4) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.
- (5) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.
- (6) "Federally qualified health center" means a community health center that is designated by the Health Resources Services Administration, Bureau of Primary Health Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated Health Center Program authorization, including Community Health Center (330e), Migrant Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary Care (330i), and School Based Health Centers (330).
- (7) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".
- (8) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.
- (9) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave conversion, disability, and retirement fund contributions.
- (10) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".
- (11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(12) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(13) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

2009(ss)-182-2

SECTION 2.

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

2009(ss)-182-3

SECTION 3.

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE

Total Operating Expense	6,198,756	6,198,756
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HOUSE EXPENSES

Total Operating Expense	10,299,327	10,700,339
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LEGISLATORS' SALARIES - SENATE

Total Operating Expense	2,247,345	2,247,345
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SENATE EXPENSES

Total Operating Expense	10,163,712	11,562,594
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Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.

Any member of the general assembly who is appointed, by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and
- (2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	2,524,980	2,620,929
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LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,126,579	1,004,601
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leaders, \$3,500; majority caucus chair, \$5,500; assistant majority caucus chairs, \$1,500; appropriations committee chair, \$5,500; tax and fiscal policy committee chair, \$5,500; appropriations committee ranking majority member, \$2,000; tax and fiscal policy committee ranking majority member, \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader, \$6,000; minority leader emeritus, \$1,500; minority caucus chair, \$5,000; minority assistant floor leader, \$5,000; appropriations committee ranking minority member, \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority whip(s), \$2,000; assistant minority caucus chair(s), \$1,000; agriculture and small business committee chair, \$1,000; commerce, public policy, and interstate cooperation committee chair, \$1,000; corrections, criminal, and civil matters committee chair, \$1,000; education and career development chair, \$1,000; elections committee chair, \$1,000; energy and environmental affairs committee chair, \$1,000; pensions and labor committee chair, \$1,000; health and provider services committee chair, \$1,000; homeland security, transportation, and veterans affairs committee chair, \$1,000; insurance and financial institutions committee chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair, \$1,000; utilities and technology committee chair, \$1,000; and natural resources committee chair, \$1,000. If an officer fills more than one (1) leadership position, the officer shall be paid for the higher paid position.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$1,500; majority leader, \$5,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; ways and means committee chair, \$5,000; ways and means committee ranking majority member, \$3,000; ways and

means committee, chairman of the education subcommittee, \$1,500; speaker pro tempore emeritus, \$1,500; budget subcommittee chair, \$3,000; majority whip, \$3,500; assistant majority whip, \$1,000; assistant majority leader, \$1,000; minority leader, \$5,500; minority caucus chair, \$4,500; ways and means committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority leader, \$4,500; second assistant minority leader, \$1,500; and deputy assistant minority leader, \$1,000.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the foregoing appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new additional committee or officer, or assigns additional duties to an existing officer, the foregoing appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

Total Operating Expense	9,989,200	10,388,768
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	700,000	750,000

Included in the above appropriations for the legislative council and legislative services agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the 2009-2011 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations

for legislative and lay member travel unless otherwise provided for by a specific appropriation.

LEGISLATIVE COUNCIL CONTINGENCY FUND

Total Operating Expense	225,000
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Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

Annual charge for interim calendar: \$10

Daily charge for the journal of either house: \$2

PRINTING AND DISTRIBUTION

Total Operating Expense	939,400	975,000
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The above funds are appropriated for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 116th general assembly, the supplements to the Indiana Code for fiscal years 2009-2010 and 2010-2011, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES

Other Operating Expense	143,944	143,944
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NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES

Other Operating Expense	190,337	190,337
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NATIONAL CONFERENCE OF INSURANCE LEGISLATORS ANNUAL DUES

Other Operating Expense	10,000	10,000
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REAPPORTIONMENT SUPPORT AND SERVICES

Total Operating Expense		250,000
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FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	271,910	271,910
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B. JUDICIAL

FOR THE SUPREME COURT

Personal Services	7,564,269	7,564,269
Other Operating Expense	2,001,965	2,001,965

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES

Personal Services	57,146,053	57,146,053
Other Operating Expense	39,000	39,000

COUNTY PROSECUTORS' SALARIES

Personal Services	24,785,126	24,785,126
Other Operating Expense	31,000	31,000

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated for personal services the amounts that the state is required to pay for salary changes or for additional courts created by the 116th general assembly.

TRIAL COURT OPERATIONS

Total Operating Expense	596,075	596,075
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INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

Total Operating Expense	778,750	778,750
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The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-24-13-7.

PUBLIC DEFENDER COMMISSION

Total Operating Expense	12,850,000	12,850,000
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The above appropriation is made in addition to the distribution authorized by IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall provide staff support to the commission and shall administer the public defense fund. The administrative costs may come from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission.

GUARDIAN AD LITEM

Total Operating Expense	2,970,248	2,970,248
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The division of state court administration shall use the foregoing appropriation to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect

under IC 31-33 and to administer the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

CIVIL LEGAL AID

Total Operating Expense	1,500,000	1,500,000
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The above funds include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS

Personal Services	15,000	15,000
Other Operating Expense	134,000	134,000

If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

Total Operating Expense	380,996	380,996
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FOR THE COURT OF APPEALS

Personal Services	9,141,271	9,141,271
Other Operating Expense	1,025,470	1,025,470

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

FOR THE TAX COURT

Personal Services	549,418	549,418
Other Operating Expense	123,595	123,595

FOR THE JUDICIAL CENTER

Personal Services	1,680,763	1,680,763
Other Operating Expense	1,140,419	1,140,419

The above appropriations for the judicial center include the appropriations for the judicial conference.

DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	100,000	100,000
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The above funds are appropriated notwithstanding the distribution under IC 33-37-7-9 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if additional funds are needed to carry out the purpose of the program, existing revenues in the fund may be allotted.

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

Total Operating Expense	200,000	200,000
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FOR THE PUBLIC DEFENDER		
Personal Services	5,679,783	5,679,783
Other Operating Expense	985,133	985,133
FOR THE PUBLIC DEFENDER COUNCIL		
Personal Services	943,769	943,769
Other Operating Expense	420,328	420,328
FOR THE PROSECUTING ATTORNEYS' COUNCIL		
Personal Services	638,099	638,099
Other Operating Expense	577,177	577,177
DRUG PROSECUTION		
Drug Prosecution Fund (IC 33-39-8-6)		
Total Operating Expense	79,000	109,000
Augmentation allowed.		
FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND		
JUDGES' RETIREMENT FUND		
Other Operating Expense	11,474,961	12,048,709
PROSECUTORS' RETIREMENT FUND		
Other Operating Expense	170,000	170,000
C. EXECUTIVE		
FOR THE GOVERNOR'S OFFICE		
Personal Services	1,902,269	1,902,269
Other Operating Expense	153,976	153,976
GOVERNOR'S RESIDENCE		
Total Operating Expense	136,858	136,858
GOVERNOR'S CONTINGENCY FUND		
Total Operating Expense		153,358
Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.		
GOVERNOR'S FELLOWSHIP PROGRAM		
Total Operating Expense	265,205	265,205
FOR THE WASHINGTON LIAISON OFFICE		
Total Operating Expense	242,500	242,500
FOR THE LIEUTENANT GOVERNOR		
Personal Services	1,725,210	1,725,210
Other Operating Expense	550,115	550,115
CONTINGENCY FUND		
Total Operating Expense		12,388
Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.		

FOR THE SECRETARY OF STATE
ADMINISTRATION

Personal Services	2,197,658	2,197,658
Other Operating Expense	150,500	150,500

FOR THE ATTORNEY GENERAL
ATTORNEY GENERAL

From the General Fund	15,128,969	15,128,969
From the Motor Vehicle Odometer Fund (IC 9-29-1-5)	90,000	90,000
Augmentation allowed.		
From the Medicaid Fraud Control Unit Fund (IC 4-6-10-1)	542,447	542,447
Augmentation allowed.		
From the Victims' Assistance Address Confidentiality Fund (IC 5-26.5-3-6)	59,929	59,929
Augmentation allowed.		
From the Real Estate Appraiser Investigative Fund (IC 25-34.1-8-7.5)	64,230	64,230
Augmentation allowed.		
From the Non-Consumer Settlements Fund	116,678	116,678
Augmentation allowed.		
From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)	494,467	494,467
Augmentation allowed.		
From the Abandoned Property Fund (IC 32-34-1-33)	318,968	318,968
Augmentation allowed.		

The amounts specified from the General Fund, motor vehicle odometer fund, medicaid fraud control unit fund, victims' assistance address confidentiality fund, non-consumer settlements fund, real estate appraiser investigative fund, tobacco master settlement fund, and abandoned property fund are for the following purposes:

Personal Services	15,690,686	15,690,686
Other Operating Expense	1,125,002	1,125,002

HOMEOWNER PROTECTION UNIT

Homeowner Protection Unit Account (IC 4-6-12-9)		
Total Operating Expense	422,000	422,000

MEDICAID FRAUD UNIT

Total Operating Expense	829,789	829,789
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The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

UNCLAIMED PROPERTY

Abandoned Property Fund (IC 32-34-1-33)

Personal Services	1,347,951	1,347,951
Other Operating Expense	3,163,434	3,163,434
Augmentation allowed.		

D. FINANCIAL MANAGEMENT

FOR THE AUDITOR OF STATE

Personal Services	4,587,218	4,587,218
Other Operating Expense	1,388,632	1,388,632

GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS

Total Operating Expense	140,246	140,246
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The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS

Personal Services	20,581,483	20,581,483
Other Operating Expense	1,178,717	1,178,717

FOR THE STATE BUDGET COMMITTEE

Total Operating Expense	54,126	54,126
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Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE OFFICE OF MANAGEMENT AND BUDGET

Personal Services	1,000,227	1,000,227
Other Operating Expense	153,095	153,095

FOR THE STATE BUDGET AGENCY

Personal Services	2,729,047	2,729,047
Other Operating Expense	639,093	639,093

DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND

Total Operating Expense	2,000,000
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The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment.

OUTSIDE BILL CONTINGENCY

Total Operating Expense	9,354,228
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PERSONAL SERVICESFRINGE BENEFITS CONTINGENCY FUND

Total Operating Expense	35,625,000
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The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

The foregoing personal services/fringe benefits contingency fund appropriation may be used only for salary increases, fringe benefit increases, an employee leave conversion program, or a state retiree health program for state employees and may not be used for any other purpose.

The foregoing personal services/fringe benefits contingency fund appropriation does not revert at the end of the biennium but remains in the personal services/fringe benefits contingency fund.

RETIREE HEALTH BENEFIT TRUST FUND

Retiree Health Benefit Trust Fund (IC 5-10-8-8.5)

Total Operating Expense

54,000,000

Augmentation Allowed.

The foregoing appropriation for the retiree health plan:

- (1) is to fund employer contributions and benefits provided under IC 5-10-8.5;
- (2) does not revert at the end of any state fiscal year but remains available for the purposes of the appropriation in subsequent state fiscal years; and
- (3) is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

The budget agency may transfer appropriations from federal or dedicated funds to the trust fund to accrue funds to pay benefits to employees that are not paid from the general fund.

COMPREHENSIVE HEALTH INSURANCE ASSOCIATION STATE SHARE

Total Operating Expense

77,000,000

Augmentation Allowed.

SCHOOL AND LIBRARY INTERNET CONNECTION (IC 4-34-3-2)

Build Indiana Fund (IC 4-30-17)

Total Operating Expense

2,800,000

2,800,000

Of the foregoing appropriations, \$1,800,000 each year shall be used for schools under IC 4-34-3-4, and \$1,000,000 each year shall be used for libraries under IC 4-34-3-2.

INSPIRE (IC 4-34-3-2)

Build Indiana Fund (IC 4-30-17)

Other Operating Expense

3,000,000

COMMUNITY DEVELOPMENT MATCHING GRANTS

Other Operating Expense

2,000,000

The foregoing appropriation shall be used to match a grant from a foundation for

community development. The budget agency may release the funds after review by the budget committee if the budget agency determines there is a significant investment from the foundation.

FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND

PUBLIC SAFETY PENSION

Total Operating Expense	96,000,000	112,000,000
Augmentation Allowed.		

FOR THE TREASURER OF STATE

Personal Services	817,630	817,630
Other Operating Expense	52,476	52,476

The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs, and guidelines, including authority operations and travel.

E. TAX ADMINISTRATION

FOR THE DEPARTMENT OF REVENUE

COLLECTION AND ADMINISTRATION

From the General Fund

48,831,936	48,831,936
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From the Motor Carrier Regulation Fund (IC 8-2.1-23)

794,261	794,261
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From the Motor Vehicle Highway Account (IC 8-14-1)

2,449,434	2,449,434
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Augmentation allowed from the Motor Carrier Regulation Fund and the Motor Vehicle Highway Account.

The amounts specified from the General Fund, Motor Carrier Regulation Fund, and the Motor Vehicle Highway Account are for the following purposes:

Personal Services	37,103,377	37,103,377
Other Operating Expense	14,972,254	14,972,254

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS

Total Operating Expense	4,500,000	4,500,000
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With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

Personal Services	1,744,843	1,744,843
Other Operating Expense	3,797,857	3,797,857

Augmentation allowed from the Motor Carrier Regulation Fund.

MOTOR FUEL TAX DIVISION

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	7,041,830	7,041,830
Other Operating Expense	2,561,625	2,561,625

Augmentation allowed from the Motor Vehicle Highway Account.

In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway account for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1.

FOR THE INDIANA GAMING COMMISSION

From the State Gaming Fund (IC 4-33-13-3)

3,501,183	3,501,183
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From the Gaming Investigations Fund (IC 4-33-4.5)

600,000	600,000
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The amounts specified from the state gaming fund and gaming investigations are for the following purposes:

Personal Services	3,288,542	3,288,542
Other Operating Expense	812,641	812,641

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

The foregoing appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.

FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH

Personal Services	120,394	120,394
Other Operating Expense	104,312	104,312

Augmentation allowed from fees accruing under IC 4-33-18-8.

FOR THE INDIANA HORSE RACING COMMISSION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Personal Services	2,126,562	2,126,562
Other Operating Expense	627,890	627,890

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

STANDARD BRED ADVISORY BOARD

Standardbred Horse Fund (IC 15-19-2-10)

Total Operating Expense	193,500	193,500
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The foregoing appropriations to the standardbred advisory board are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

STANDARD BRED BREED DEVELOPMENT

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Total Operating Expense	4,049,719	4,049,719
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Augmentation allowed.

THOROUGHBRED BREED DEVELOPMENT

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Total Operating Expense	2,904,012	2,904,012
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Augmentation allowed.

QUARTER HORSE BREED DEVELOPMENT

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Total Operating Expense	228,896	228,896
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Augmentation allowed.

FINGERPRINT FEES

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Total Operating Expense	52,110	52,110
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Augmentation allowed.

GAMING INTEGRITY FUND - IHRC

Gaming Integrity Fund - IHRC (IC 4-35-8.7-3)

Total Operating Expense	500,000	500,000
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Augmentation allowed.

FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Personal Services	3,927,361	3,926,359
Other Operating Expense	722,957	722,957

From the above appropriations for the department of local government finance, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5-11 and the state school property tax control board created by IC 6-1.1-19-4.1, under state travel regulations.

DISTRESSED UNIT APPEAL BOARD

Total Operating Expense	20,600	20,600
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FOR THE INDIANA BOARD OF TAX REVIEW

Personal Services	1,209,019	1,209,019
Other Operating Expense	63,510	63,510

F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

Personal Services	11,562,865	11,562,865
Other Operating Expense	14,718,815	14,718,815

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	3,405,686	3,405,686
Other Operating Expense	320,200	320,200

The department may establish an internal service fund to perform the functions of the department.

FOR THE STATE EMPLOYEES APPEALS COMMISSION

Personal Services	169,653	169,653
Other Operating Expense	10,086	10,086

FOR THE OFFICE OF TECHNOLOGY

Pay Phone Fund (IC 5-22-23-7)		
Total Operating Expense	1,900,000	1,900,000
Augmentation allowed.		

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. The fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the budget agency. Money in the fund may be spent by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE COMMISSION ON PUBLIC RECORDS

Personal Services	1,325,220	1,325,220
Other Operating Expense	141,446	141,446

FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

Personal Services	153,041	153,041
Other Operating Expense	3,688	3,688

FOR THE OFFICE OF FEDERAL GRANTS AND PROCUREMENT

Total Operating Expense	95,039	95,039
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G. OTHER

FOR THE COMMISSION ON UNIFORM STATE LAWS		
Total Operating Expense	43,584	43,584
FOR THE OFFICE OF INSPECTOR GENERAL		
Personal Services	1,212,488	1,212,488
Other Operating Expense	229,383	229,383
STATE ETHICS COMMISSION		
Personal Services	2,668	2,668
Other Operating Expense	6,297	6,297
FOR THE SECRETARY OF STATE		
ELECTION DIVISION		
Personal Services	701,510	701,510
Other Operating Expense	196,242	196,242
VOTER LIST MAINTENANCE		
Total Operating Expense	512,500	512,500

The above appropriation includes state HAVA matching funds.

H. COMMUNITY SERVICES

FOR THE GOVERNOR'S OFFICE OF FAITH BASED & COMMUNITY INITIATIVES		
Personal Services	240,327	240,327
Other Operating Expense	50,225	50,225

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SECTION 4.

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION		
CENTRAL OFFICE		
Personal Services	9,376,633	9,376,633
Other Operating Expense	6,158,981	6,158,981
ESCAPEE COUNSEL AND TRIAL EXPENSE		
Other Operating Expense	198,000	198,000
COUNTY JAIL MISDEMEANANT HOUSING		
Total Operating Expense	4,281,101	4,281,101
ADULT CONTRACT BEDS		
Total Operating Expense	2,831,443	2,831,443
STAFF DEVELOPMENT AND TRAINING		
Personal Services	1,084,457	1,084,457
Other Operating Expense	132,885	132,885
PAROLE DIVISION		
Personal Services	8,337,627	8,337,627
Other Operating Expense	905,405	905,405
PAROLE BOARD		
Personal Services	657,976	657,976

Other Operating Expense	23,741	23,741
INFORMATION MANAGEMENT SERVICES		
Personal Services	1,048,752	1,048,752
Other Operating Expense	432,534	432,534
JUVENILE TRANSITION		
Personal Services	662,692	662,692
Other Operating Expense	908,545	908,545
COMMUNITY CORRECTIONS PROGRAMS		
Total Operating Expense	34,018,114	34,018,114

The above appropriation for community corrections programs is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriation for community corrections programs does not revert to the general fund or another fund at the close of a state fiscal year but remains available in subsequent state fiscal years for the purposes of the appropriation.

DRUG PREVENTION AND OFFENDER TRANSITION		
Total Operating Expense	206,824	206,824

The above appropriation shall be used for minimum security release programs, transition programs, mentoring programs, and supervision of and assistance to adult and juvenile offenders to promote the successful integration of the offender into the community.

CENTRAL EMERGENCY RESPONSE		
Personal Services	1,159,005	1,159,005
Other Operating Expense	120,174	120,174
MEDICAL SERVICES		
Other Operating Expense	76,130,153	86,032,783

The above appropriations for medical services shall be used only for services that are determined to be medically necessary.

DRUG ABUSE PREVENTION		
Drug Abuse Fund (IC 11-8-2-11)		
Personal Services	740,000	740,000
Other Operating Expense	2,600	2,600
Augmentation allowed.		
COUNTY JAIL MAINTENANCE CONTINGENCY FUND		
Other Operating Expense	20,000,000	20,000,000

Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing, at the rate of \$35 per day. In addition to the per diem, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county),

the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

Augmentation allowed.

FOOD SERVICES

Total Operating Expense	36,652,458	40,281,856
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FOR THE STATE BUDGET AGENCY

MEDICAL SERVICE PAYMENTS

Total Operating Expense	25,000,000	25,000,000
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These appropriations for medical service payments are made to pay for services determined to be medically necessary for committed individuals, patients and students of institutions under the jurisdiction of the department of correction, the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, or the division of aging if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, the division of aging, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13-2.

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU

Personal Services	134,554	134,554
Other Operating Expense	7,328	7,328

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

Personal Services	32,867,370	32,867,370
Other Operating Expense	6,751,252	6,751,252

PENDLETON CORRECTIONAL FACILITY

Personal Services	27,299,395	27,299,395
Other Operating Expense	7,070,626	7,070,626

CORRECTIONAL INDUSTRIAL FACILITY

Personal Services	20,245,770	20,245,770
Other Operating Expense	997,243	997,243

INDIANA WOMEN'S PRISON

Personal Services	8,612,523	8,612,523
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Other Operating Expense	1,059,099	1,059,099
PUTNAMVILLE CORRECTIONAL FACILITY		
Personal Services	30,333,741	30,333,741
Other Operating Expense	4,329,691	4,329,691
WABASH VALLEY CORRECTIONAL FACILITY		
Personal Services	35,452,554	35,452,554
Other Operating Expense	5,409,888	5,409,888
PLAINFIELD EDUCATION RE-ENTRY FACILITY		
Personal Services	7,055,354	7,055,354
Other Operating Expense	3,235,412	3,235,412
INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY		
Personal Services	10,906,670	10,906,670
Other Operating Expense	1,090,070	1,090,070
BRANCHVILLE CORRECTIONAL FACILITY		
Personal Services	16,560,275	16,560,275
Other Operating Expense	2,361,080	2,361,080
WESTVILLE CORRECTIONAL FACILITY		
Personal Services	42,786,893	42,786,893
Other Operating Expense	5,980,703	5,980,703
ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN		
Personal Services	14,998,655	14,998,655
Other Operating Expense	1,927,015	1,927,015
PLAINFIELD CORRECTIONAL FACILITY		
Personal Services	22,950,007	22,950,007
Other Operating Expense	2,619,303	2,619,303
RECEPTION AND DIAGNOSTIC CENTER		
Personal Services	11,799,385	11,799,385
Other Operating Expense	695,865	695,865
MIAMI CORRECTIONAL FACILITY		
Personal Services	28,891,409	28,891,409
Other Operating Expense	5,231,704	5,231,704
NEW CASTLE CORRECTIONAL FACILITY		
Other Operating Expense	31,587,079	32,328,736
SOCIAL SERVICES BLOCK GRANT		
General Fund		
Total Operating Expense	5,029,318	5,029,318
Work Release - Study Release Special Revenue Fund (IC 11-10-8-6.5)		
Total Operating Expense	1,328,704	1,328,704
Augmentation allowed from Work Release - Study Release Special Revenue Fund and Social Services Block Grant.		
HENRYVILLE CORRECTIONAL FACILITY		
Personal Services	2,355,124	2,355,124
Other Operating Expense	271,599	271,599
CHAIN O' LAKES CORRECTIONAL FACILITY		
Personal Services	1,743,782	1,743,782
Other Operating Expense	261,355	261,355
MADISON CORRECTIONAL FACILITY		
Personal Services	4,835,168	4,835,168
Other Operating Expense	962,558	962,558
EDINBURGH CORRECTIONAL FACILITY		
Personal Services	3,614,415	3,614,415

Other Operating Expense	388,295	388,295
SOUTH BEND JUVENILE CORRECTIONAL FACILITY		
Personal Services	4,739,483	4,739,483
Other Operating Expense	2,826,481	2,826,481
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
Personal Services	9,213,446	9,213,446
Other Operating Expense	1,243,603	1,243,603
CAMP SUMMIT		
Personal Services	2,258,110	2,258,110
Other Operating Expense	217,833	217,833
PENDLETON JUVENILE CORRECTIONAL FACILITY		
Personal Services	15,807,771	15,807,771
Other Operating Expense	1,633,941	1,633,941

B. LAW ENFORCEMENT

FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION

From the General Fund

45,469,876 45,469,876

From the Motor Vehicle Highway Account (IC 8-14-1)

79,313,933 79,313,933

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

4,391,978 4,391,978

Augmentation allowed from the general fund, the motor vehicle highway account, and the motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	115,028,075	115,028,075
Other Operating Expense	14,147,712	14,147,712

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program.

The foregoing appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.

ODOMETER FRAUD INVESTIGATION

Motor Vehicle Odometer Fund (IC 9-29-1-5)

Total Operating Expense 25,000 25,000

Augmentation allowed.

STATE POLICE TRAINING

State Police Training Fund (IC 5-2-8-5)

Total Operating Expense 502,875 502,875

Augmentation allowed.

FORENSIC AND HEALTH SCIENCES LABORATORIES

From the General Fund

3,888,671 3,888,671

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

375,611 375,611

From the Motor Vehicle Highway Account (IC 8-14-1)

6,783,078 6,783,078

Augmentation allowed from the general fund, the motor vehicle highway account, and the motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	10,572,562	10,572,562
Other Operating Expense	474,798	474,798

ENFORCEMENT AID

General Fund

Total Operating Expense	40,000	40,000
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Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	40,000	40,000
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The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

PENSION FUND

General Fund

Total Operating Expense	4,736,247	4,736,247
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Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	4,736,246	4,736,246
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

BENEFIT FUND

General Fund

Total Operating Expense	1,713,151	1,713,151
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Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	1,713,151	1,713,151
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Augmentation allowed.

All benefits to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

SUPPLEMENTAL PENSION

General Fund

Total Operating Expense	1,900,753	1,900,753
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Augmentation allowed.		
Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	1,900,753	1,900,753
Augmentation allowed.		

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-12-5, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund and the motor vehicle highway account.

ACCIDENT REPORTING

Accident Report Account (IC 9-29-11-1)		
Total Operating Expense	30,000	30,000
Augmentation allowed.		

DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)		
Total Operating Expense	273,420	273,420
Augmentation allowed.		

DNA SAMPLE PROCESSING FUND

DNA Sample Processing Fund (IC 10-13-6-9.5)		
Total Operating Expense	1,327,777	1,327,777
Augmentation allowed.		

FOR THE INTEGRATED PUBLIC SAFETY COMMISSION

PROJECT SAFE-T

Integrated Public Safety Communications Fund (IC 5-26-4-1)		
Total Operating Expense	13,000,000	13,000,000
Augmentation allowed.		

FOR THE ADJUTANT GENERAL

CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS

Personal Services	653,456	653,456
Other Operating Expense	362,134	362,134

ADJUTANT GENERAL FEDERAL COOP AGREEMENT

Total Operating Expense	9,653,699	9,653,699
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BAER FIELD FEDERAL COOP AGREEMENT

Total Operating Expense	370,161	370,161
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HULMAN FIELD FEDERAL COOP AGREEMENT

Total Operating Expense	306,453	306,453
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DISABLED SOLDIERS' PENSION

Other Operating Expense	1	1
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Augmentation allowed.

MUTC - MUSCATATUCK URBAN TRAINING CENTER

Total Operating Expense	1,386,906	1,386,906
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HOOSIER YOUTH CHALLENGE ACADEMY

Total Operating Expense	1,148,948	1,800,000
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GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND

Total Operating Expense		288,672
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The above appropriations for the governor's civil and military contingency fund are made under IC 10-16-11-1.

FOR THE CRIMINAL JUSTICE INSTITUTE

ADMINISTRATIVE MATCH

Total Operating Expense	427,253	427,253
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DRUG ENFORCEMENT MATCH

Total Operating Expense	1,571,760	1,571,760
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VICTIM AND WITNESS ASSISTANCE FUND

Victim and Witness Assistance Fund (IC 5-2-6-14)

Total Operating Expense	629,689	629,689
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Augmentation allowed.

ALCOHOL AND DRUG COUNTERMEASURES

Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)

Total Operating Expense	348,211	348,211
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Augmentation allowed.

STATE DRUG FREE COMMUNITIES FUND

State Drug Free Communities Fund (IC 5-2-10-2)

Total Operating Expense	526,585	526,585
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Augmentation allowed.

INDIANA SAFE SCHOOLS

General Fund

Total Operating Expense	1,247,756	1,247,756
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Indiana Safe Schools Fund (IC 5-2-10.1-2)

Total Operating Expense	764,397	764,397
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Augmentation allowed from Indiana Safe Schools Fund.

Of the above appropriations for the Indiana safe schools program, \$1,262,153 is appropriated annually to provide grants to school corporations for school safe haven programs, emergency preparedness programs, and school safety programs, and \$750,000 is appropriated annually for use in providing training to school safety specialists.

CHILD RESTRAINT SYSTEM FUND

Total Operating Expense	100,000	100,000
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COMMUNITY DRIVER TRAINING SCHOOLS & INSTRUCTION

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	63,359	63,359
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Augmentation allowed.

OFFICE OF TRAFFIC SAFETY

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	575,778	575,778
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Other Operating Expense	13,211,355	13,211,355
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Augmentation allowed.

The above appropriation for the office of traffic safety is from the motor vehicle highway account and may be used to fund traffic safety projects that are included in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be deposited into the motor vehicle highway account.

SEXUAL ASSAULT VICTIMS' ASSISTANCE

Sexual Assault Victims' Assistance Account (IC 5-2-6-23(h))

Total Operating Expense	49,000	49,000
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Augmentation allowed. The full amount of the above appropriations shall be distributed to rape crisis centers in Indiana without any deduction of personal services or other operating expenses of any state agency.

VICTIMS OF VIOLENT CRIME ADMINISTRATION

Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Personal Services	112,122	112,122
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Other Operating Expense	2,407,402	2,407,402
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Augmentation allowed.

DOMESTIC VIOLENCE PREVENTION AND TREATMENT

General Fund

Total Operating Expense	1,734,014	1,734,014
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Domestic Violence Prevention and Treatment Fund (IC 12-18-4)

Total Operating Expense	1,115,590	1,115,590
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Augmentation allowed.

FOR THE CORONERS' TRAINING BOARD

Coroners' Training and Continuing Education Fund (IC 4-23-6.5-8)

Total Operating Expense	361,229	361,229
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Augmentation allowed.

FOR THE LAW ENFORCEMENT TRAINING ACADEMY

From the General Fund

2,190,933	2,190,933
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From the Law Enforcement Training Fund (IC 5-2-1-13(b))

2,220,048	2,220,048
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Augmentation allowed from the Law Enforcement Training Fund.

The amounts specified from the General Fund and the Law Enforcement Training Fund are for the following purposes:

Personal Services	3,608,441	3,608,441
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Other Operating Expense	802,540	802,540
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C. REGULATORY AND LICENSING

FOR THE BUREAU OF MOTOR VEHICLES

Motor Vehicle Highway Account (IC 8-14-1)

Personal Services	17,446,403	17,446,403
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Other Operating Expense	13,493,000	13,493,000
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Augmentation allowed.

LICENSE PLATES

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	5,600,000	5,600,000
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Augmentation allowed.

FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION

Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)		
Total Operating Expense	6,571,932	6,571,932
Augmentation allowed.		
STATE MOTOR VEHICLE TECHNOLOGY		
State Motor Vehicle Technology Fund (IC 9-29-16-1)		
Total Operating Expense	5,261,692	5,261,692
Augmentation allowed.		
FOR THE DEPARTMENT OF LABOR		
Personal Services	871,619	871,619
Other Operating Expense	141,615	141,615
BUREAU OF MINES AND MINING		
Personal Services	150,554	150,554
Other Operating Expense	20,104	20,104
M.I.S. RESEARCH AND STATISTICS		
Personal Services	207,354	207,354
Other Operating Expense	22,360	22,360
OCCUPATIONAL SAFETY AND HEALTH		
Personal Services	3,237,073	3,237,073
Other Operating Expense	568,548	568,548

The above funds are appropriated to occupational safety and health and management information services research and statistics to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of Labor. Inasmuch as the state is eligible to receive from the federal government partial reimbursement of the state's total Indiana occupational safety and health plan program cost, it is the intention of the general assembly that the department of labor make application to the federal government for the federal share of the total program cost.

EMPLOYMENT OF YOUTH		
Employment of Youth Fund (IC 20-33-3-42)		
Total Operating Expense	183,555	183,555
Augmentation allowed.		
INSAFE		
Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)		
Personal Services	874,587	874,587
Other Operating Expense	217,752	217,752
Augmentation allowed.		
FOR THE DEPARTMENT OF INSURANCE		
Department of Insurance Fund (IC 27-1-3-28)		
Personal Services	5,318,138	5,318,138
Other Operating Expense	1,195,519	1,195,519
Augmentation allowed.		
BAIL BOND DIVISION		
Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)		
Personal Services	171,597	171,597
Other Operating Expense	8,832	8,832
Augmentation allowed.		
PATIENTS' COMPENSATION AUTHORITY		

Patients' Compensation Fund (IC 34-18-6-1)		
Personal Services	490,135	490,135
Other Operating Expense	1,346,870	1,346,870
Augmentation allowed.		
POLITICAL SUBDIVISION RISK MANAGEMENT		
Political Subdivision Risk Management Fund (IC 27-1-29-10)		
Personal Services	44,195	44,195
Other Operating Expense	782,960	782,960
Augmentation allowed.		
MINE SUBSIDENCE INSURANCE		
Mine Subsidence Insurance Fund (IC 27-7-9-7)		
Personal Services	62,116	62,116
Other Operating Expense	827,283	827,283
Augmentation allowed.		
TITLE INSURANCE ENFORCEMENT OPERATING		
Title Insurance Enforcement Fund (IC 27-7-3.6-1)		
Personal Services	288,370	288,370
Other Operating Expense	80,921	80,921
Augmentation allowed.		
FOR THE ALCOHOL AND TOBACCO COMMISSION		
Enforcement and Administration Fund (IC 7.1-4-10-1)		
Personal Services	8,612,469	8,612,469
Other Operating Expense	1,780,699	1,780,699
Augmentation allowed.		
ALCOHOLIC BEVERAGE ENFORCEMENT OFFICERS' TRAINING		
Alcoholic Beverage Commission Enforcement Officers' Training Fund (IC 5-2-8-8)		
Total Operating Expense	4,200	4,200
Augmentation allowed.		
YOUTH TOBACCO EDUCATION AND ENFORCEMENT		
Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)		
Total Operating Expense	25,000	25,000
Augmentation allowed.		
FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS		
Financial Institutions Fund (IC 28-11-2-9)		
Personal Services	6,972,935	6,972,935
Other Operating Expense	1,518,119	1,518,119
Augmentation allowed.		
FOR THE PROFESSIONAL LICENSING AGENCY		
Personal Services	4,669,317	4,669,317
Other Operating Expense	867,325	867,325
PRENEED CONSUMER PROTECTION		
Preneed Consumer Protection Fund (IC 30-2-13-28)		
Total Operating Expense	72,750	72,750
Augmentation allowed.		
BOARD OF FUNERAL AND CEMETERY SERVICE		
Funeral Service Education Fund (IC 25-15-9-13)		
Total Operating Expense	4,850	4,850

Augmentation allowed.

FOR THE CIVIL RIGHTS COMMISSION

Personal Services	1,916,298	1,916,298
Other Operating Expense	270,632	270,632

It is the intention of the general assembly that the civil rights commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints by the civil rights commission. Such federal funds received by the state shall be considered as a reimbursement of state expenditures and shall be deposited into the state general fund.

MARTIN LUTHER KING JR. HOLIDAY COMMISSION

Total Operating Expense	20,000	20,000
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FOR THE UTILITY CONSUMER COUNSELOR

Public Utility Fund (IC 8-1-6-1)		
Personal Services	4,485,790	4,485,790
Other Operating Expense	687,910	687,910

Augmentation allowed.

EXPERT WITNESS FEES AND AUDIT

Public Utility Fund (IC 8-1-6-1)		
Total Operating Expense		1,503,500

Augmentation allowed.

FOR THE UTILITY REGULATORY COMMISSION

Public Utility Fund (IC 8-1-6-1)		
Personal Services	6,729,019	6,729,019
Other Operating Expense	1,917,752	1,917,752

Augmentation allowed.

FOR THE WORKERS' COMPENSATION BOARD

From the General Fund		
	1,918,782	1,918,782
From the Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)		
	145,007	145,007

Augmentation allowed.

The amounts specified from the general fund and the workers' compensation supplemental administrative fund are for the following purposes:

Personal Services	1,927,761	1,927,761
Other Operating Expense	136,028	136,028

FOR THE STATE BOARD OF ANIMAL HEALTH

Personal Services	4,021,557	4,021,557
Other Operating Expense	865,228	865,228

INDEMNITY FUND

Total Operating Expense		9,700
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Augmentation allowed.

MEAT & POULTRY INSPECTION

Total Operating Expense	1,884,049	1,884,049
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FOR THE DEPARTMENT OF HOMELAND SECURITY

FIRE AND BUILDING SERVICES

From the Fire and Building Services Fund (IC 22-12-6-1)

15,251,362	15,251,362
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From the Medical Services Education Fund (IC 16-31-7-1)

23,437	23,437
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Augmentation allowed from the fire and building services fund and medical services education fund.

The amounts specified from the fire and building services fund and medical services education fund are for the following purposes:

Personal Services	12,467,711	12,467,711
Other Operating Expense	2,807,088	2,807,088

REGIONAL PUBLIC SAFETY TRAINING

Regional Public Safety Training Fund (IC 10-15-3-12)

Total Operating Expense	1,902,047	1,902,047
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Augmentation allowed.

EMERGENCY MANAGEMENT CONTINGENCY FUND

Total Operating Expense	121,645	121,645
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The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

PUBLIC ASSISTANCE

Total Operating Expense	1	1
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HOMELAND SECURITY FUND - FOUNDATION

Homeland Security Fund - Foundation (IC 10-15-3-1)

Total Operating Expense	224,423	224,423
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Augmentation allowed.

INDIANA EMERGENCY RESPONSE COMMISSION

Emergency Planning and Right to Know Fund (IC 6-6-10-5)

Total Operating Expense	40,962	40,962
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Augmentation allowed.

STATE DISASTER RELIEF FUND

State Disaster Relief Fund (IC 10-14-4-5)

Total Operating Expense	500,000	500,000
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Augmentation allowed, not to exceed revenues collected from the public safety fee imposed by IC 22-11-14-12.

Augmentation allowed from the general fund to match federal disaster relief funds.

REDUCED IGNITION PROPENSITY STANDARDS FOR CIGARETTES FUND

Reduced Ignition Propensity Standards for Cigarettes Fund (IC 22-14-7-22(a))

Total Operating Expense	80,000	80,000
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Augmentation allowed.

INDIANA INTELLIGENCE FUSION CENTER

Total Operating Expense	969,252	969,252
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STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND

Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)

Total Operating Expense	117,162	117,162
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Augmentation allowed.

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SECTION 5.

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION

Personal Services	8,179,372	8,179,372
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Other Operating Expense	1,358,733	1,358,733
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ENTOMOLOGY AND PLANT PATHOLOGY DIVISION

Personal Services	588,850	588,850
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Other Operating Expense	151,997	151,997
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ENTOMOLOGY AND PLANT PATHOLOGY FUND

Entomology and Plant Pathology Fund (IC 14-24-10-3)

Total Operating Expense		662,868
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Augmentation allowed.

ENGINEERING DIVISION

Personal Services	1,728,557	1,728,557
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Other Operating Expense	99,232	99,232
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STATE MUSEUM

Personal Services	5,020,180	5,020,180
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Other Operating Expense	1,251,406	1,251,406
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HISTORIC PRESERVATION DIVISION

Personal Services	755,246	755,246
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Other Operating Expense	70,346	70,346
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HISTORIC PRESERVATION - FEDERAL

Total Operating Expense	32,559	32,559
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STATE HISTORIC SITES

Personal Services	2,400,530	2,400,530
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Other Operating Expense	499,789	499,789
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From the above appropriations, \$75,000 in each state fiscal year shall be used for the Grissom Museum.

LINCOLN PRODUCTION

Total Operating Expense	440,000	440,000
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INDIANA FLOOD CONTROL SUMMIT

Total Operating Expense	5,000	0
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The department of natural resources shall schedule, organize, and conduct an Indiana flood control summit for one (1) or more days in Indiana before November 1, 2009.

WABASH RIVER HERITAGE CORRIDOR

Total Operating Expense	80,246	80,246
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OUTDOOR RECREATION DIVISION

Personal Services	615,004	615,004
Other Operating Expense	41,931	41,931

NATURE PRESERVES DIVISION

Personal Services	923,068	923,068
Other Operating Expense	46,569	46,569

WATER DIVISION

Personal Services	4,417,754	4,417,754
Other Operating Expense	405,079	405,079

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the foregoing amounts, for water resources studies.

DEER RESEARCH AND MANAGEMENT

Deer Research and Management Fund (IC 14-22-5-2)

Total Operating Expense	189,160	189,160
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Augmentation allowed.

OIL AND GAS DIVISION

Oil and Gas Fund (IC 6-8-1-27)

Personal Services	1,300,410	1,300,410
Other Operating Expense	322,789	322,789

Augmentation allowed.

STATE PARKS AND RESERVOIRS

From the General Fund

11,343,213 11,343,213

From the State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)

20,644,742 20,644,742

Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

The amounts specified from the General Fund and the State Parks and Reservoirs Special Revenue Fund are for the following purposes:

Personal Services	23,781,129	23,781,129
Other Operating Expense	8,206,826	8,206,826

OFF-ROAD VEHICLE AND SNOWMOBILE FUND

Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)

Total Operating Expense	291,001	291,001
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Augmentation allowed.

LAW ENFORCEMENT DIVISION

From the General Fund

9,936,748 9,936,748

From the Fish and Wildlife Fund (IC 14-22-3-2)

13,381,894 13,381,894

Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for

the following purposes:

Personal Services	19,396,301	19,396,301
Other Operating Expense	3,922,341	3,922,341

FISH AND WILDLIFE DIVISION

Fish and Wildlife Fund (IC 14-22-3-2)

Personal Services	13,124,471	13,124,471
Other Operating Expense	4,377,957	4,377,957

Augmentation allowed.

FORESTRY DIVISION

From the General Fund

4,494,586	4,494,586
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From the State Forestry Fund (IC 14-23-3-2)

7,492,186	7,492,186
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Augmentation allowed from the State Forestry Fund.

The amounts specified from the General Fund and the State Forestry Fund are for the following purposes:

Personal Services	7,796,996	7,796,996
Other Operating Expense	4,189,776	4,189,776

RECLAMATION DIVISION

Natural Resources Reclamation Division Fund (IC 14-34-14-2)

Personal Services	1,496,777	1,496,777
Other Operating Expense	393,565	393,565

Augmentation allowed.

In addition to any of the foregoing appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

LAKE MICHIGAN COASTAL PROGRAM

Cigarette Tax Fund (IC 6-7-1-29.1)

Total Operating Expense	142,283	142,283
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Augmentation allowed.

LAKE AND RIVER ENHANCEMENT

Lake and River Enhancement Fund (IC 6-6-11-12.5)

Total Operating Expense		4,603,882
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Augmentation allowed.

CONSERVATION OFFICERS' MARINE ENFORCEMENT FUND

Lake and River Enhancement Fund (IC 6-6-11-12.5)

Total Operating Expense	795,400	795,400
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Augmentation allowed.

HERITAGE TRUST

Total Operating Expense	1,000,000	1,000,000
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B. OTHER NATURAL RESOURCES

FOR THE WORLD WAR MEMORIAL COMMISSION

Personal Services	735,437	735,437
Other Operating Expense	302,381	302,381

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be paid into the general fund. The American Legion shall provide for the complete maintenance of the interior of these buildings.

FOR THE WHITE RIVER PARK COMMISSION

Total Operating Expense	998,999	998,999
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FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	67,658	67,658
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FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	58,751	58,751
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FOR THE KANKAKEE RIVER BASIN COMMISSION

Total Operating Expense	67,658	67,658
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C. ENVIRONMENTAL MANAGEMENT

FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT ADMINISTRATION

From the General Fund

3,363,457	3,363,457
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From the State Solid Waste Management Fund (IC 13-20-22-2)

66,480	66,480
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From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

57,475	57,475
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From the Waste Tire Management Fund (IC 13-20-13-8)

101,519	101,519
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From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

639,953	639,953
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

608,752	608,752
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From the Environmental Management Special Fund (IC 13-14-12-1)

88,128	88,128
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

179,093	179,093
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From the Asbestos Trust Fund (IC 13-17-6-3)

23,089	23,089
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

51,616	51,616
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From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

1,761,099	1,761,099
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Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	5,241,508	5,241,508
Other Operating Expense	1,699,153	1,699,153

LABORATORY CONTRACTS

Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	461,424	461,424
Augmentation allowed.		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	200,747	200,747
Augmentation allowed.		

OWQ LABORATORY CONTRACTS

Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	340,470	340,470
Augmentation allowed.		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	794,430	794,430
Augmentation allowed.		

NORTHWEST REGIONAL OFFICE

From the General Fund		
308,229	308,229	
From the State Solid Waste Management Fund (IC 13-20-22-2)		
6,760	6,760	
From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
5,844	5,844	
From the Waste Tire Management Fund (IC 13-20-13-8)		
12,094	12,094	
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
143,845	143,845	
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
69,339	69,339	
From the Environmental Management Special Fund (IC 13-14-12-1)		
10,760	10,760	
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		

	23,294	23,294
From the Asbestos Trust Fund (IC 13-17-6-3)		
	5,190	5,190
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
	7,396	7,396

Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund are for the following purposes:

Personal Services	255,609	255,609
Other Operating Expense	337,142	337,142

NORTHERN REGIONAL OFFICE

From the General Fund

	190,702	190,702
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From the State Solid Waste Management Fund (IC 13-20-22-2)

	8,067	8,067
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From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

	6,972	6,972
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From the Waste Tire Management Fund (IC 13-20-13-8)

	12,143	12,143
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From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

	118,951	118,951
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

	74,143	74,143
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From the Environmental Management Special Fund (IC 13-14-12-1)

	11,395	11,395
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

	21,336	21,336
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From the Asbestos Trust Fund (IC 13-17-6-3)

	4,290	4,290
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

	6,050	6,050
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Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund,

Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund are for the following purposes:

Personal Services	204,566	204,566
Other Operating Expense	249,483	249,483

SOUTHWEST REGIONAL OFFICE

From the General Fund

152,909	152,909
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From the State Solid Waste Management Fund (IC 13-20-22-2)

16,615	16,615
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From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

14,363	14,363
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From the Waste Tire Management Fund (IC 13-20-13-8)

20,150	20,150
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From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

69,085	69,085
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

65,400	65,400
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From the Environmental Management Special Fund (IC 13-14-12-1)

11,913	11,913
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

22,794	22,794
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From the Asbestos Trust Fund (IC 13-17-6-3)

2,490	2,490
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

6,564	6,564
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Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund are for the following purposes:

Personal Services	200,171	200,171
Other Operating Expense	182,112	182,112

LEGAL AFFAIRS

From the General Fund

493,113	493,113
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From the Waste Tire Management Fund (IC 13-20-13-8)

	8,168	8,168
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	217,015	217,015
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	159,037	159,037
From the Environmental Management Special Fund (IC 13-14-12-1)	19,518	19,518
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	36,872	36,872
From the Asbestos Trust Fund (IC 13-17-6-3)	7,829	7,829
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	9,907	9,907
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	337,980	337,980
Augmentation allowed from the Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.		

The amounts specified from the General Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	1,173,821	1,173,821
Other Operating Expense	115,618	115,618

ENFORCEMENT

From the General Fund	199,909	199,909
From the Waste Tire Management Fund (IC 13-20-13-8)	14,231	14,231
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	55,898	55,898
From the Environmental Management Special Fund (IC 13-14-12-1)	15,847	15,847
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	51,200	51,200
From the Asbestos Trust Fund (IC 13-17-6-3)	2,016	2,016
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	17,255	17,255
Augmentation allowed from the Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.		

The amounts specified from the General Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund are for the following purposes:

Personal Services	289,276	289,276
Other Operating Expense	67,080	67,080

INVESTIGATIONS

From the General Fund

173,097	173,097
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From the State Solid Waste Management Fund (IC 13-20-22-2)

6,622	6,622
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From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

5,725	5,725
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From the Waste Tire Management Fund (IC 13-20-13-8)

15,565	15,565
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From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

57,883	57,883
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From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

83,397	83,397
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From the Environmental Management Special Fund (IC 13-14-12-1)

10,405	10,405
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From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

33,468	33,468
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From the Asbestos Trust Fund (IC 13-17-6-3)

2,088	2,088
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From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

11,753	11,753
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Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund are for the following purposes:

Personal Services	330,556	330,556
Other Operating Expense	69,447	69,447

MEDIA AND COMMUNICATIONS

From the General Fund

417,794	417,794
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From the State Solid Waste Management Fund (IC 13-20-22-2)

8,437	8,437
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From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

	7,294	7,294
From the Waste Tire Management Fund (IC 13-20-13-8)	12,595	12,595
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	73,727	73,727
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	64,768	64,768
From the Environmental Management Special Fund (IC 13-14-12-1)	9,757	9,757
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)	20,693	20,693
From the Asbestos Trust Fund (IC 13-17-6-3)	2,657	2,657
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)	6,208	6,208
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)	211,660	211,660
Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.		

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund, are for the following purposes:

Personal Services	780,640	780,640
Other Operating Expense	54,950	54,950

COMMUNITY RELATIONS

From the General Fund	480,081	480,081
From the State Solid Waste Management Fund (IC 13-20-22-2)	13,954	13,954
From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)	12,061	12,061
From the Waste Tire Management Fund (IC 13-20-13-8)	20,830	20,830
From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)	121,916	121,916
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)	107,104	107,104
From the Environmental Management Special Fund (IC 13-14-12-1)	16,124	16,124
From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		

	34,215	34,215
From the Asbestos Trust Fund (IC 13-17-6-3)		
	4,398	4,398
From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
	10,260	10,260
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
	349,996	349,996
Augmentation allowed from the State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.		

The amounts specified from the General Fund, State Solid Waste Management Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V Operating Permit Program Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

Personal Services	1,080,148	1,080,148
Other Operating Expense	90,791	90,791
OHIO RIVER VALLEY WATER SANITATION COMMISSION		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	270,242	270,242
Augmentation allowed.		
OFFICE OF ENVIRONMENTAL RESPONSE		
Personal Services	3,000,468	3,000,468
Other Operating Expense	319,013	319,013
POLLUTION PREVENTION AND TECHNICAL ASSISTANCE		
Personal Services	1,456,036	1,456,036
Other Operating Expense	437,489	437,489
PCB INSPECTIONS		
Environmental Management Permit Operation Fund (IC 13-15-11-1)		
Total Operating Expense	30,562	30,562
Augmentation allowed.		
U.S. GEOLOGICAL SURVEY CONTRACTS		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	64,398	64,398
Augmentation allowed.		
STATE SOLID WASTE GRANTS MANAGEMENT		
State Solid Waste Management Fund (IC 13-20-22-2)		
Personal Services	391,814	391,814
Other Operating Expense	337,443	337,443
Augmentation allowed.		
RECYCLING OPERATING		
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
Personal Services	325,931	325,931

Other Operating Expense	312,525	312,525
Augmentation allowed.		
RECYCLING PROMOTION AND ASSISTANCE PROGRAM		
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
Total Operating Expense	770,000	770,000
Augmentation allowed.		
VOLUNTARY CLEAN-UP PROGRAM		
Voluntary Remediation Fund (IC 13-25-5-21)		
Personal Services	739,322	739,322
Other Operating Expense	179,935	179,935
Augmentation allowed.		
TITLE V AIR PERMIT PROGRAM		
Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
Personal Services	12,041,882	12,041,882
Other Operating Expense	2,798,196	2,798,196
Augmentation allowed.		
WATER MANAGEMENT PERMITTING		
From the General Fund		
	1,923,612	1,923,612
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	4,867,843	4,867,843
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	6,136,065	6,136,065
Other Operating Expense	655,390	655,390
SOLID WASTE MANAGEMENT PERMITTING		
From the General Fund		
	2,221,388	2,221,388
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	3,409,461	3,409,461
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	5,310,601	5,310,601
Other Operating Expense	320,248	320,248

CFO/CAFO INSPECTIONS		
Total Operating Expense	450,000	450,000

HAZARDOUS WASTE MANAGEMENT PERMITTING		
From the General Fund		
	2,319,283	2,319,283
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
	2,762,897	2,762,897
Augmentation allowed from the Environmental Management Permit Operation Fund.		

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	4,156,730	4,156,730
Other Operating Expense	925,450	925,450

SAFE DRINKING WATER PROGRAM

From the General Fund

371,290 371,290

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

2,421,272 2,421,272

Augmentation allowed from the Environmental Management Permit Operation Fund.

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

Personal Services	2,301,996	2,301,996
Other Operating Expense	490,566	490,566

CLEAN VESSEL PUMPOUT

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense 77,588 77,588

Augmentation allowed.

GROUNDWATER PROGRAM

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense 122,150 122,150

Augmentation allowed.

UNDERGROUND STORAGE TANK PROGRAM

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Total Operating Expense 656,973 656,973

Augmentation allowed.

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Total Operating Expense 282,669 282,669

Augmentation allowed.

AIR MANAGEMENT OPERATING

From the General Fund

620,477 620,477

From the Environmental Management Special Fund (IC 13-14-12-1)

248,424 248,424

Augmentation allowed from the Environmental Management Special Fund.

The amounts specified from the General Fund and the Environmental Management Special Fund are for the following purposes:

Personal Services	518,018	518,018
Other Operating Expense	350,883	350,883

WATER MANAGEMENT NONPERMITTING

Personal Services 3,291,009 3,291,009

Other Operating Expense 719,538 719,538

GREAT LAKES INITIATIVE		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	57,207	57,207
Augmentation allowed.		
OUTREACH OPERATOR TRAINING		
General Fund		
Total Operating Expense	2,963	2,963
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	5,924	5,924
Augmentation allowed.		
LEAKING UNDERGROUND STORAGE TANKS		
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
Personal Services	161,311	161,311
Other Operating Expense	31,718	31,718
Augmentation allowed.		
CORE SUPERFUND		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	12,967	12,967
Augmentation allowed.		
AUTO EMISSIONS TESTING PROGRAM		
Personal Services	86,983	86,983
Other Operating Expense	5,672,829	5,672,829

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations, the above appropriations shall be prorated among all locations.

HAZARDOUS WASTE SITE - STATE CLEAN-UP		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	1,425,495	1,425,495
Other Operating Expense	515,152	515,152
Augmentation allowed.		
HAZARDOUS WASTE SITES - NATURAL RESOURCE DAMAGES		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Personal Services	141,408	141,408
Other Operating Expense	289,544	289,544
Augmentation allowed.		
SUPERFUND MATCH		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Total Operating Expense	511,675	511,675
Augmentation allowed.		
HOUSEHOLD HAZARDOUS WASTE		
Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
Other Operating Expense	278,293	278,293
Augmentation allowed.		
ASBESTOS TRUST - OPERATING		
Asbestos Trust Fund (IC 13-17-6-3)		
Personal Services	415,391	415,391
Other Operating Expense	132,292	132,292
Augmentation allowed.		
UNDERGROUND PETROLEUM STORAGE TANK - OPERATING		

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
Personal Services	874,215	874,215
Other Operating Expense	42,446,857	42,446,857
Augmentation allowed.		
WASTE TIRE MANAGEMENT		
Waste Tire Management Fund (IC 13-20-13-8)		
Total Operating Expense	563,887	563,887
Augmentation allowed.		
WASTE TIRE RE-USE		
Waste Tire Management Fund (IC 13-20-13-8)		
Total Operating Expense	907,796	907,796
Augmentation allowed.		
VOLUNTARY COMPLIANCE		
Environmental Management Special Fund (IC 13-14-12-1)		
Personal Services	293,070	293,070
Other Operating Expense	170,394	170,394
Augmentation allowed.		
ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	961,315	961,315
Augmentation allowed.		
SMALL TOWN COMPLIANCE		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	58,200	58,200
Augmentation allowed.		
WETLANDS PROTECTION		
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	22,148	22,148
Augmentation allowed.		
PETROLEUM TRUST - OPERATING		
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
Personal Services	121,790	121,790
Other Operating Expense	350,689	350,689
Augmentation allowed.		

Notwithstanding any other law, with the approval of the governor and the budget agency, the above appropriations for hazardous waste management permitting, wetlands protection, groundwater program, underground storage tank program, air management operating, asbestos trust operating, water management nonpermitting, safe drinking water program, and any other appropriation eligible to be included in a performance partnership grant may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION

Personal Services	308,690	308,690
Other Operating Expense	59,560	59,560

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SECTION 6.

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE DEPARTMENT OF AGRICULTURE

Personal Services	1,930,284	1,930,284
Other Operating Expense	456,387	456,387
DISTRIBUTIONS TO FOOD BANKS		
Total Operating Expense	300,000	300,000
CLEAN WATER INDIANA		
Total Operating Expense	500,000	500,000
Cigarette Tax Fund (IC 6-7-1-29.1)		
Total Operating Expense	3,666,425	3,666,425
Augmentation allowed.		
SOIL CONSERVATION DIVISION		
Cigarette Tax Fund (IC 6-7-1-29.1)		
Total Operating Expense	1,862,216	1,862,216
Augmentation allowed.		
GRAIN BUYERS AND WAREHOUSE LICENSING		
Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)		
Total Operating Expense	165,050	165,050
Augmentation allowed.		

B. COMMERCE

FOR THE LIEUTENANT GOVERNOR

RURAL ECONOMIC DEVELOPMENT FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,497,688	1,497,688
OFFICE OF TOURISM		
Total Operating Expense	4,406,684	4,406,684

Of the above appropriations, the office of tourism shall distribute \$500,000 each year to the Indiana Sports Corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee. The above appropriations include \$1,000,000 for grants for local convention and visitors bureaus and other local organizations that exist to promote tourism. The office of tourism shall develop standards for application for grants and award of grants, including a local match requirement. The maximum amount of a grant is \$50,000. Funds may be released only after review by the budget committee.

STATE ENERGY PROGRAM		
Total Operating Expense	237,963	237,963
FOOD ASSISTANCE PROGRAM		
Total Operating Expense	131,261	131,261

FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION

ADMINISTRATIVE AND FINANCIAL SERVICES

General Fund		
Total Operating Expense	6,423,392	6,423,392
Training 2000 Fund (IC 5-28-7-5)		

Total Operating Expense	185,630	185,630
Industrial Development Grant Fund (IC 5-28-25-4)		
Total Operating Expense	52,139	52,139
21ST CENTURY RESEARCH & TECHNOLOGY FUND		
Total Operating Expense	17,500,000	17,500,000
INTERNATIONAL TRADE		
Total Operating Expense	1,297,049	1,297,049
ENTERPRISE ZONE PROGRAM		
Enterprise Zone Fund (IC 5-28-15-6)		
Total Operating Expense	215,536	215,536
Augmentation allowed.		
LOCAL ECONOMIC DEVELOPMENT ORGANIZATION/ REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION (LEDO/REDO) MATCHING GRANT PROGRAM		
Total Operating Expense		1,713,990
TRAINING 2000		
General Fund		
Total Operating Expense		19,401,660
Training 2000 Fund (IC 5-28-7-5)		
Total Operating Expense		3,858,206
Augmentation allowed.		
BUSINESS PROMOTION PROGRAM		
Total Operating Expense		2,049,126
TRADE PROMOTION PROGRAM		
Total Operating Expense	167,791	167,791
BUSINESS DEVELOPMENT LOAN PROGRAM		
Total Operating Expense	838,953	838,953
AG LOAN AND RURAL DEVELOP GUARANTEE FUND		
Economic Development Fund (IC 5-28-8-5)		
Total Operating Expense	200,000	200,000
Augmentation allowed.		
ECONOMIC DEVELOPMENT GRANT AND LOAN PROGRAM		
General Fund		
Total Operating Expense		1,006,744
Economic Development Fund (IC 5-28-8-5)		
Total Operating Expense		448,256
Augmentation allowed.		
INDUSTRIAL DEVELOPMENT GRANT PROGRAM		
General Fund		
Total Operating Expense		6,500,000
Industrial Development Grant Fund (IC 5-28-25-4)		
Total Operating Expense		4,500,000
Augmentation allowed.		
TECHNOLOGY DEVELOPMENT GRANT PROGRAM		
Total Operating Expense	1,894,410	1,894,410
FOR THE INDIANA FINANCE AUTHORITY (IFA)		
ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM		
Total Operating Expense	500,000	500,000

FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS

Total Operating Expense	1,000,000	1,000,000
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The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

Family and social services administration, division of family resources shall apply all qualifying expenditures for individual development accounts deposits toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

MORTGAGE FORECLOSURE COUNSELING

Home Ownership Education Fund (IC 5-20-1-27)

Total Operating Expense	2,700,000	2,700,000
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Augmentation Allowed.

FOR THE STATE BUDGET AGENCY

MIDWEST INSTITUTE FOR NANOELECTRONICS DISCOVERY (MIND)

ARRA State Fiscal Stabilization Fund (Section 14002(b))

Total Operating Expense		10,000,000
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FOR THE SHORELINE DEVELOPMENT COMMISSION (IC 36-7-13.5)

Total Operating Expense	1,000,000	1,000,000
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Funds may be released after budget agency approval and budget committee review.

C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT

ADMINISTRATION

Total Operating Expense	855,000	855,000
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WOMEN'S COMMISSION

Personal Services	106,824	106,824
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Other Operating Expense	12,175	12,175
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NATIVE AMERICAN INDIAN AFFAIRS COMMISSION

Total Operating Expense	90,211	90,211
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COMMISSION ON HISPANIC/LATINO AFFAIRS

Total Operating Expense	124,235	124,235
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The above appropriations are in addition to any funding for the commission derived from funds appropriated to the department of workforce development.

D. OTHER ECONOMIC DEVELOPMENT

FOR THE INDIANA STATE FAIR BOARD

STATE FAIR

Total Operating Expense	2,119,124	1,619,124
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SECTION 7.

TRANSPORTATION

FOR THE DEPARTMENT OF TRANSPORTATION

For the conduct and operation of the department of transportation, the following sums are appropriated for the periods designated from the public mass transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway account, the distressed road fund, the state highway road construction and improvement fund, the motor carrier regulation fund, and the crossroads 2000 fund.

INTERMODAL GRANT PROGRAM

Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	50,000	50,000
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Augmentation allowed.

RAILROAD GRADE CROSSING IMPROVEMENT

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	500,000	500,000
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HIGH SPEED RAIL

Industrial Rail Service Fund (IC 8-3-1.7-2)

Matching Funds		40,000
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Augmentation allowed.

PUBLIC MASS TRANSPORTATION

Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	42,300,000	44,400,000
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Augmentation allowed.

Any unencumbered amount remaining from this appropriation at the end of a state fiscal year remains available in subsequent state fiscal years for the purposes for which it is appropriated.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 1601, et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

HIGHWAY OPERATING

State Highway Fund (IC 8-23-9-54)

Personal Services	256,703,031	252,219,117
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Other Operating Expense	63,309,536	63,309,536
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HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	8,800,000	18,000,000
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The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	63,000,000	70,000,000
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The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS

State Highway Fund (IC 8-23-9-54)

Right-of-Way Expense	38,250,000	24,800,000
Formal Contracts Expense	47,181,225	72,307,207
Consulting Services Expense	18,600,000	24,736,741
Institutional Road Construction	5,000,000	5,000,000

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The appropriations for highway operating, highway vehicle and road maintenance equipment, highway buildings and grounds, the highway planning and research program, the highway maintenance work program, and highway capital improvements are appropriated

from estimated revenues, which include the following:

- (1) Funds distributed to the state highway fund from the motor vehicle highway account under IC 8-14-1-3(4).
- (2) Funds distributed to the state highway fund from the highway, road and street fund under IC 8-14-2-3.
- (3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund under IC 8-23-9-54.
- (4) Any unencumbered funds carried forward in the state highway fund from any previous fiscal year.
- (5) All other funds appropriated or made available to the department of transportation by the general assembly.

If funds from sources set out above for the department of transportation exceed appropriations from those sources to the department, the excess amount is hereby appropriated to be used for formal contracts with approval of the governor and the budget agency.

If there is a change in a statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department for formal contracts.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department, and with the approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	2,500,000	2,500,000
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STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	61,524,711	62,139,958
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Augmentation allowed.

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	46,142,787	38,517,564
Augmentation allowed.		

The above appropriations for the crossroads 2000 program are appropriated from the crossroads 2000 fund provided in IC 8-14-10-9 and may include any unencumbered funds carried forward from any previous fiscal year. The funds shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

MAJOR MOVES CONSTRUCTION PROGRAM

Major Moves Construction Fund (IC 8-14-14-5)

Formal Contracts Expense	545,000,000	535,000,000
Augmentation allowed.		

FEDERAL APPORTIONMENT

Right-of-Way Expense	174,250,000	113,100,000
Formal Contracts Expense	426,642,292	502,792,291
Consulting Engineers Expense	84,500,000	69,500,000
Highway Planning and Research	12,807,708	12,807,709
Local Government Revolving Acct.	266,000,000	266,000,000

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2009-2011 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve,

state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(6); and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

There is apportioned to the department of transportation the following sums for the periods and purposes designated under the American Recovery and Reinvestment Act (ARRA) of 2009.

FOR THE DEPARTMENT OF TRANSPORTATION

Highway Capital Improvements	
Formal Contracts Expense	440,838,364
Augmentation allowed	
Transportation Enhancements	
Formal Contracts Expense	19,739,031
Augmentation allowed	
Highway Capital Improvements - Metro Planning Organizations, Cities, Towns, and Counties	197,390,312
Augmentation allowed	
Rural Transit Funds	20,316,134

Augmentation allowed

As soon as practical after passage of this act, the department with the approval of the governor shall prepare a plan for the allocation and expenditure of the appropriations listed above. The plan shall list the projects to be funded. The department shall present the plan to the state budget committee for review under IC 4-12-1-11.5.

In preparing that portion of the plan for expenditure for Highway Capital Improvements and Transportation Enhancements, the department shall adhere to the following goals to the extent practical:

- (1) The plan shall comply with all applicable federal statutes, rules, and policies as necessary to ensure eligibility for the maximum level of federal funding.
- (2) The plan shall be designed to obligate the federal funds and begin construction as soon as practical.
- (3) The plan shall be designed to minimize the likelihood that any funding apportioned to Indiana will have to be returned to the federal government.
- (4) The plan shall strive to make Indiana eligible for any increased funding that may become available as a result of reallocation from other states.
- (5) The plan shall reasonably allocate funding to projects located across all areas of the state, with an emphasis on areas determined by the department to be economically distressed.
- (6) The department may hold special lettings for contracts using the above appropriations. The department shall strive to limit each contract to a maximum of \$10,000,000.
- (7) The department shall strive to diversify the type of work using the above appropriations.

In preparing that portion of the plan for expenditure for Highway Capital Improvements - Local Government and Highway Capital Improvements - Metro Planning Organizations, Cities, Towns, and Counties, the department shall adhere to the following guidelines to the extent practical:

- (1) The plan shall comply with all applicable federal statutes, rules, and policies as necessary to ensure eligibility for the maximum level of federal funding.
- (2) The plan shall be designed to obligate the federal funds and begin construction as soon as practical.
- (3) The plan shall be designed to minimize the likelihood that any funding apportioned to Indiana will have to be returned to the federal government.
- (4) The plan shall strive to make Indiana eligible for any increased funding that may become available as a result of reallocation from other states.
- (5) The plan shall reasonably allocate funds to projects located across all areas of the state. However, if the department cannot identify local government projects that can be obligated within the established time frames the department may allocate funds as necessary to fully obligate all federal funding.
- (6) For Highway Capital Improvements for Metro Planning Organizations the plan shall include projects selected by the respective metropolitan planning organizations. However, if the metropolitan planning organizations cannot identify projects that can be obligated within the established time frames, the department may select alternate projects as necessary to fully obligate all federal funding.
- (7) The department may hold special lettings for contracts using the above appropriations. The department shall strive to limit each contract for Highway Capital Improvements for Cities, Towns, and Counties to a maximum of \$7,000,000.

The department shall establish reasonable policies and guidelines for cities, towns, and counties and metropolitan planning organizations to follow to help ensure reasonable access and timely obligation of funds. The department shall provide reasonable assistance to cities, towns, and counties and metropolitan planning organizations in meeting deadlines established to ensure timely obligation of funding.

If the governor finds that any of the above goals conflict with another goal, the governor shall determine the appropriate weight to give to each goal. Actions taken by the governor or the department with respect to allocation, obligation, or expenditure of the above appropriations before passage of this act is deemed to have satisfied the requirement for budget committee review providing such actions were taken to conform to the plan or to comply with laws, policies, or direction issued by the United States Department of Transportation or any other federal agency as a condition to qualifying for the federal funds.

The department with the approval of the governor may adjust the above appropriations for Highway Capital Improvements, Transportation Enhancements, Highway Capital Improvements - Metropolitan Planning Organizations, Cities, Towns, and Counties as necessary to comply with federal law, policies, or direction established to ensure continuing eligibility for federal funding.

The department shall submit reports to the budget committee and legislative council by December 31 of 2009, 2010, and 2011 detailing the status of the appropriations and projects funded under the plan. The department may submit copies of reports required to be submitted to the federal government to fulfill this requirement.

The above appropriations do not revert but remain in effect until obligated.

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SECTION 8.

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

INDIANA PRESCRIPTION DRUG PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,117,830	1,117,830
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CHILDREN'S HEALTH INSURANCE PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	34,918,921	36,984,511
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FAMILY AND SOCIAL SERVICES ADMINISTRATION

Total Operating Expense	19,764,734	19,764,734
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OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION

Total Operating Expense	6,061,868	6,062,487
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MEDICAID ADMINISTRATION

Total Operating Expense	36,427,564	36,427,564
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MEDICAID - CURRENT OBLIGATIONS

General Fund

Total Operating Expense	1,116,000,000	1,428,800,000
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The foregoing appropriations for Medicaid current obligations and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of P.L.46-1995, if the sums herein appropriated for Medicaid current obligations and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

INDIANA CHECK-UP PLAN (EXCLUDING IMMUNIZATION)

Indiana Check-Up Plan Trust Fund (IC 12-15-44.2-17)

Total Operating Expense	137,466,043	157,766,043
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HOSPITAL CARE FOR THE INDIGENT FUND

Total Operating Expense	61,500,000	61,500,000
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MEDICAID DISABILITY ELIGIBILITY EXAMS

Total Operating Expense	937,000	937,000
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MEDICAL ASSISTANCE TO WARDS (MAW)

Total Operating Expense	13,100,000	13,100,000
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MARION COUNTY HEALTH AND HOSPITAL CORPORATION

Total Operating Expense	38,000,000	38,000,000
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MENTAL HEALTH ADMINISTRATION

Other Operating Expense	4,059,047	4,059,047
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Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation for the state fiscal year beginning July 1, 2009, and ending June 30, 2010, and two hundred seventy-five thousand dollars (\$275,000) of the above appropriation for the state fiscal year beginning July 1, 2010, and ending June 30, 2011, shall be distributed in the state fiscal year to neighborhood based community service programs.

CHILD PSYCHIATRIC SERVICES FUND

Total Operating Expense	20,423,760	20,423,760
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SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	15,975,408	15,975,408
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SERIOUSLY MENTALLY ILL

General Fund

Total Operating Expense	91,046,702	91,046,702
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Mental Health Centers Fund (IC 6-7-1-32.1)

Total Operating Expense	4,311,650	4,311,650
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Augmentation allowed.

COMMUNITY MENTAL HEALTH CENTERS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	7,000,000	7,000,000
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The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community mental health

services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the foregoing funds rather than in place of any part of the funds. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	4,490,809	4,490,809
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MVOV CONFERENCE

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	199,763	199,763
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SUBSTANCE ABUSE TREATMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	4,855,820	4,855,820
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QUALITY ASSURANCE/RESEARCH

Total Operating Expense	812,860	812,860
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PREVENTION

Gamblers' Assistance Fund (IC 4-33-12-6)

Total Operating Expense	2,858,528	2,858,528
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Augmentation allowed.

METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM

MDCO Fund (IC 12-23-18)

Total Operating Expense	243,486	243,486
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Augmentation allowed.

DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM

DMHA Youth Tobacco Reduction Support Program (IC 4-33-12-6)

Total Operating Expense	250,000	250,000
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Augmentation allowed.

EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER

Personal Services	496,318	473,948
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Other Operating Expense	123,252	123,252
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EVANSVILLE STATE HOSPITAL

From the General Fund

20,276,654	20,340,477
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From the Mental Health Fund (IC 12-24-14-4)

677,943	678,778
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Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	15,636,749	15,701,407
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Other Operating Expense	5,317,848	5,317,848
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LARUE CARTER MEMORIAL HOSPITAL

From the General Fund

	22,483,147	22,534,726
From the Mental Health Fund (IC 12-24-14-4)		
	476,465	472,254

Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	16,020,593	16,067,961
Other Operating Expense	6,939,019	6,939,019

LOGANSPORT STATE HOSPITAL

From the General Fund		
	40,772,672	40,769,722
From the Mental Health Fund (IC 12-24-14-4)		
	1,378,232	1,378,232

Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	32,407,597	32,404,647
Other Operating Expense	9,743,307	9,743,307

MADISON STATE HOSPITAL

From the General Fund		
	16,403,876	16,402,626
From the Mental Health Fund (IC 12-24-14-4)		
	666,308	666,308

Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	13,135,516	13,134,266
Other Operating Expense	3,934,668	3,934,668

RICHMOND STATE HOSPITAL

From the General Fund		
	37,112,498	37,096,244
From the Mental Health Fund (IC 12-24-14-4)		
	650,335	650,335

Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	29,512,684	29,496,430
Other Operating Expense	8,250,149	8,250,149

PATIENT PAYROLL

Total Operating Expense	285,785	285,785
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The federal share of revenue accruing to the state mental health institutions under IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP), shall be deposited in the mental health fund established by IC 12-24-14-1, and the remainder shall be deposited in the general fund.

In addition to the above appropriations, each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000 in each fiscal year, of the amount by which actual net collections exceed an amount specified in writing by the division of mental health and addiction before July 1 of each year beginning July 1, 2009.

DIVISION OF FAMILY RESOURCES ADMINISTRATION

Personal Services	6,061,903	6,061,903
Other Operating Expense	1,963,063	1,963,063

COMMISSION ON THE SOCIAL STATUS OF BLACK MALES

Total Operating Expense	173,179	173,179
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CHILD CARE LICENSING FUND

Child Care Fund (IC 12-17.2-2-3)

Total Operating Expense	100,000	100,000
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Augmentation allowed.

ELECTRONIC BENEFIT TRANSFER PROGRAM

Total Operating Expense	2,529,915	2,529,915
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The foregoing appropriations for the division of family resources Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

STATE WELFARE - COUNTY ADMINISTRATION

Total Operating Expense	56,464,688	56,464,688
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INDIANA CLIENT ELIGIBILITY SYSTEM (ICES)

Total Operating Expense	7,402,387	7,402,387
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IMPACT PROGRAM

Total Operating Expense	689,001	689,001
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TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)

Total Operating Expense	31,776,757	31,776,757
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IMPACT - TANF

Total Operating Expense	1,880,252	1,880,252
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CHILD CARE & DEVELOPMENT FUND

Total Operating Expense	34,418,255	34,418,255
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The foregoing appropriations for information systems/technology, education and training, Temporary Assistance to Needy Families (TANF), and child care services are for the purpose of enabling the division of family resources to carry out all services as provided in IC 12-14. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the division of family resources for the respective purposes for which such money was allocated and paid to the state.

BURIAL EXPENSES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,607,219	1,607,219
SCHOOL AGE CHILD CARE PROJECT FUND		
Total Operating Expense	955,780	955,780
DIVISION OF AGING ADMINISTRATION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	594,659	594,659
Other Operating Expense	852,751	852,751

The above appropriations for the division of aging administration are for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the general fund.

ROOM AND BOARD ASSISTANCE (R-CAP)		
Total Operating Expense	13,477,844	13,477,844
C.H.O.I.C.E. IN-HOME SERVICES		
Total Operating Expense	48,765,643	48,765,643

The foregoing appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver. The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed in the state fiscal year beginning July 1, 2009, and ending June 30, 2010, \$12,900,000. The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed in the state fiscal year beginning July 1, 2010, and ending June 30, 2011, \$12,900,000. After July 1, 2009, and before August 1, 2010, the office of the secretary (as defined in IC 12-7-2-135) shall submit a report to the legislative council in an electronic format under IC 5-14-6 and the governor in each July, October, January, and April specifying the number of persons on the waiting list for C.H.O.I.C.E. In-Home Services at the end of the month preceding the date of the report, a schedule indicating the length of time persons have been on the waiting list, a description of the conditions or problems that contribute to the waiting list, the plan in the next six (6) months after the end of the reporting period to reduce the waiting list, and any other information that is necessary or appropriate to interpret the information provided in the report.

The division of aging shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home care during the preceding fiscal year;
- (2) the total cost and per recipient cost of providing home care services during the preceding fiscal year;
- (3) the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and
- (4) the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

The foregoing appropriations for C.H.O.I.C.E. In-Home Services do not revert to the state general fund or any other fund at the close of any state fiscal year but remain available for the purposes of C.H.O.I.C.E. In-Home Services in subsequent state fiscal years.

OLDER HOOSIERS ACT		
Total Operating Expense	1,573,446	1,573,446
ADULT PROTECTIVE SERVICES		
Total Operating Expense	1,956,528	1,956,528
ADULT GUARDIANSHIP SERVICES		
Total Operating Expense	477,135	477,135
TITLE V EMPLOYMENT GRANT (OLDER WORKERS)		
Total Operating Expense	229,034	229,034
MEDICAID WAIVER		
Total Operating Expense	322,275	322,275
OBRA/PASSARR		
Total Operating Expense	91,108	91,108
TITLE III ADMINISTRATION GRANT		
Total Operating Expense	252,163	252,163
OMBUDSMAN		
Total Operating Expense	310,124	310,124
DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	360,764	360,764
VOCATIONAL REHABILITATION SERVICES		
Personal Services	3,525,457	3,525,457
Other Operating Expense	12,348,257	12,348,257
AID TO INDEPENDENT LIVING		
Total Operating Expense	46,927	46,927
INDIANAPOLIS RESOURCE CENTER FOR INDEPENDENT LIVING		
Total Operating Expense	87,665	87,665
SOUTHERN INDIANA CENTER FOR INDEPENDENT LIVING		
Total Operating Expense	87,665	87,665
ATTIC, INCORPORATED		
Total Operating Expense	87,665	87,665
LEAGUE FOR THE BLIND AND DISABLED		
Total Operating Expense	87,665	87,665
FUTURE CHOICES, INC.		
Total Operating Expense	158,113	158,113
THE WABASH INDEPENDENT LIVING AND LEARNING CENTER, INC.		
Total Operating Expense	158,113	158,113
INDEPENDENT LIVING CENTER OF EASTERN INDIANA		
Total Operating Expense	158,113	158,113

OFFICE OF DEAF AND HEARING IMPAIRED		
Personal Services	185,104	185,104
Other Operating Expense	131,670	131,670
BLIND VENDING OPERATIONS		
Total Operating Expense	129,905	129,905
DEVELOPMENTAL DISABILITY RESIDENTIAL FACILITIES COUNCIL		
Personal Services	2,970	2,970
Other Operating Expense	12,038	12,038
OFFICE OF SERVICES FOR THE BLIND AND VISUALLY IMPAIRED		
Personal Services	56,751	56,751
Other Operating Expense	24,985	24,985
EMPLOYEE TRAINING		
Total Operating Expense	6,112	6,112
BUREAU OF QUALITY IMPROVEMENT SERVICES - BQIS		
Total Operating Expense	3,936,983	3,936,983
DAY SERVICES - DEVELOPMENTALLY DISABLED		
Other Operating Expense	11,759,384	11,759,384
DIAGNOSIS AND EVALUATION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Other Operating Expense	400,125	400,125
FEDERAL EARLY INTERVENTION		
Total Operating Expense	6,149,513	6,149,513
SUPPORTED EMPLOYMENT		
Other Operating Expense	3,880,000	3,880,000
EPILEPSY PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Other Operating Expense	463,758	463,758
CAREGIVER SUPPORT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Other Operating Expense	809,500	809,500
BDDS OPERATING		
General Fund		
Total Operating Expense	5,286,709	5,286,709
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,869,887	1,869,887
Augmentation allowed.		
OASIS - OBJECTIVE ASSISTANCE SYSTEM FROM INDEPENDENT SERVICES		
Total Operating Expense	5,529,000	5,529,000
CRISIS MANAGEMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	4,136,080	4,136,080
Augmentation allowed.		
OUTREACH - STATE OPERATING SERVICES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	2,232,973	2,232,973
Augmentation allowed.		
RESIDENTIAL SERVICES FOR DEVELOPMENTALLY DISABLED PERSONS		
General Fund		
Total Operating Expense	91,996,290	91,996,290
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		

Total Operating Expense	17,229,000	17,229,000
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The above appropriations for client services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of group homes and nursing facilities.

In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

FOR THE DEPARTMENT OF CHILD SERVICES

DEPARTMENT OF CHILD SERVICES - ADMINISTRATION

Personal Services	89,445,563	89,445,563
Other Operating Expense	20,582,245	20,582,245

DEPARTMENT OF CHILD SERVICES - STATE ADMINISTRATION

Personal Services	14,689,383	14,689,383
Other Operating Expense	3,636,219	3,636,219

CHILD WELFARE SERVICES STATE GRANTS

General Fund

Total Operating Expense	7,500,000	7,500,000
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Excise and Financial Institution Taxes

Total Operating Expense	6,275,000	6,275,000
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Augmentation allowed.

TITLE IV-D OF THE FEDERAL SOCIAL SECURITY ACT (STATE MATCH)

Total Operating Expense	5,598,019	5,598,019
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The foregoing appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

FAMILY AND CHILDREN FUND

General Fund

Total Operating Expense	445,406,171	445,406,171
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Augmentation allowed.

Family and Children Reimbursement (IC 31-40-1-3)

Total Operating Expense	8,782,173	8,782,173
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Augmentation allowed.

YOUTH SERVICE BUREAU

Total Operating Expense	1,528,000	1,528,000
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PROJECT SAFEPLACE

Total Operating Expense	125,000	125,000
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HEALTHY FAMILIES INDIANA

Total Operating Expense	6,826,935	6,826,935
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CHILD WELFARE TRAINING

Total Operating Expense	1,729,473	1,729,473
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SPECIAL NEEDS ADOPTION II

Personal Services	243,060	243,060
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Other Operating Expense	456,540	456,540
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ADOPTION ASSISTANCE

Total Operating Expense	14,307,971	14,307,971
NON-RECURRING ADOPTION ASSISTANCE		
Total Operating Expense	921,500	921,500
INDIANA SUPPORT ENFORCEMENT TRACKING (ISETS)		
Total Operating Expense	4,804,602	4,804,602
CHILD PROTECTION AUTOMATION PROJECT (ICWIS)		
Total Operating Expense	4,224,334	4,224,334
SOCIAL SERVICES BLOCK GRANT (SSBG)		
Total Operating Expense	4,012,083	4,012,083

The funds appropriated above to the social services block grant are allocated in the following manner during the biennium:

Division of Disability and Rehabilitative Services		
	343,481	343,481
Division of Family Resources		
	1,100,000	1,100,000
Division of Aging		
	687,396	687,396
Department of Child Services		
	289,352	289,352
Department of Health		
	296,504	296,504
Department of Correction		
	1,295,350	1,295,350

FOR THE DEPARTMENT OF ADMINISTRATION		
DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU		
Total Operating Expense	145,400	145,400

B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH		
Personal Services	21,315,999	21,315,999
Other Operating Expense	7,410,840	7,410,840

All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund. Augmentation allowed in amounts not to exceed revenue from penalties or fees collected by the state department of health.

The above appropriations for the state department of health include funds to establish a medical adverse events reporting system by making a grant to or an agreement with an appropriate agency.

AREA HEALTH EDUCATION CENTERS		
Total Operating Expense	1,387,500	1,387,500
CANCER REGISTRY		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	610,647	610,647
MINORITY HEALTH INITIATIVE		

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,000,000	3,000,000

The foregoing appropriations shall be allocated to the Indiana Minority Health Coalition to work with the state department on the implementation of IC 16-46-11.

SICKLE CELL

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	250,000	250,000

AID TO COUNTY TUBERCULOSIS HOSPITALS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	96,883	96,883

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

MEDICARE-MEDICAID CERTIFICATION

Total Operating Expense	6,269,426	6,269,426
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Personal services augmentation allowed in amounts not to exceed revenue from health facilities license fees or from health care providers (as defined in IC 16-18-2-163) fee increases or those adopted by the Executive Board of the Indiana State Department of health pursuant to IC 16-19-3.

AIDS EDUCATION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	286,161	286,161
Other Operating Expense	531,084	531,084

HIV/AIDS SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	2,162,254	2,162,254

TEST FOR DRUG AFFLICTED BABIES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	58,121	58,121

STATE CHRONIC DISEASES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	120,459	120,459
Other Operating Expense	957,968	957,968

At least \$82,560 of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8.

WOMEN, INFANTS, AND CHILDREN SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	190,000	190,000

MATERNAL AND CHILD HEALTH SUPPLEMENT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	190,000	190,000

CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	86,490	86,490
CANCER EDUCATION AND DIAGNOSIS - PROSTATE CANCER		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	93,000	93,000
ADOPTION HISTORY		
Adoption History Fund (IC 31-19-18-6)		
Total Operating Expense	215,543	215,543
Augmentation allowed.		
CHILDREN WITH SPECIAL HEALTH CARE NEEDS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	13,862,070	13,862,070
Augmentation allowed.		
NEWBORN SCREENING PROGRAM		
Newborn Screening Fund (IC 16-41-17-11)		
Personal Services	366,971	366,971
Other Operating Expense	2,294,672	2,294,672
Augmentation allowed.		
RADON GAS TRUST FUND		
Radon Gas Trust Fund (IC 16-41-38-8)		
Total Operating Expense	11,458	11,458
Augmentation allowed.		
BIRTH PROBLEMS REGISTRY		
Birth Problems Registry Fund (IC 16-38-4-17)		
Personal Services	62,071	62,071
Other Operating Expense	62,389	62,389
Augmentation allowed.		
MOTOR FUEL INSPECTION PROGRAM		
Motor Fuel Inspection Fund (IC 16-44-3-10)		
Total Operating Expense	174,464	174,464
Augmentation allowed.		
PROJECT RESPECT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	537,904	537,904
DONATED DENTAL SERVICES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	42,932	42,932

The above appropriation shall be used by the Indiana foundation for dentistry for the handicapped.

OFFICE OF WOMEN'S HEALTH		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	121,248	121,248
SPINAL CORD AND BRAIN INJURY		
Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)		
Total Operating Expense	1,175,770	1,175,770
INDIANA CHECK-UP PLAN - IMMUNIZATIONS		
Indiana Check-Up Plan Trust Fund (IC 12-15-44.2-17)		

Total Operating Expense	11,000,000	11,000,000
WEIGHTS AND MEASURES FUND		
Weights and Measures Fund (IC 16-19-5-4)		
Total Operating Expense	22,824	22,824
Augmentation allowed.		
MINORITY EPIDEMIOLOGY		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	750,000	750,000
COMMUNITY HEALTH CENTERS		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	17,500,000	20,000,000
PRENATAL SUBSTANCE USE & PREVENTION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	150,000	150,000
LOCAL HEALTH MAINTENANCE FUND		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,860,000	3,860,000
Augmentation allowed.		

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

LOCAL HEALTH DEPARTMENT ACCOUNT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,000,000	3,000,000

The foregoing appropriations for the local health department account are statutory distributions pursuant to IC 4-12-7.

FOR THE TOBACCO USE PREVENTION AND CESSATION BOARD

TOBACCO USE PREVENTION AND CESSATION PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	10,859,308	10,859,308

A minimum of 75% of the above appropriations shall be used for grants to local agencies and other entities with programs designed to reduce smoking.

FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Personal Services	10,525,311	10,524,650
Other Operating Expense	1,028,728	1,029,396

FOR THE INDIANA SCHOOL FOR THE DEAF

Personal Services	16,817,364	16,822,021
Other Operating Expense	1,959,367	1,959,367

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	538,944	538,944
Other Operating Expense	80,108	80,108

DISABLED AMERICAN VETERANS OF WORLD WARS

Total Operating Expense	40,000	40,000
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AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM

Total Operating Expense	30,000	30,000
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VETERANS OF FOREIGN WARS

Total Operating Expense	30,000	30,000
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VIETNAM VETERANS OF AMERICA

Total Operating Expense		20,000
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MILITARY FAMILY RELIEF FUND

Military Family Relief Fund (IC 10-17-12-8)

Total Operating Expense	450,000	450,000
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INDIANA VETERANS' HOME

From the General Fund

12,815,594	12,815,594
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From the Comfort and Welfare Fund (IC 10-17-9-7(c))

9,381,362	9,381,362
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Augmentation allowed from the Comfort and Welfare Fund in amounts not to exceed revenue collected for Medicaid and Medicare reimbursement.

The amounts specified from the General Fund and the Comfort and Welfare Fund are for the following purposes:

Personal Services	16,956,676	16,956,676
Other Operating Expense	5,240,280	5,240,280

COMFORT AND WELFARE PROGRAM

Comfort and Welfare Fund (IC 10-17-9-7(c))

Total Operating Expense	10,127,221	10,127,221
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Augmentation allowed.

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SECTION 9.

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY

BLOOMINGTON CAMPUS

Total Operating Expense	194,908,592	190,670,086
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Fee Replacement	26,901,091	39,480,478
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FOR INDIANA UNIVERSITY REGIONAL CAMPUSES
EAST

Total Operating Expense	7,978,684	7,896,005
Fee Replacement	1,896,844	1,400,591

KOKOMO

Total Operating Expense	10,409,563	10,345,995
Fee Replacement	2,103,973	1,553,532

NORTHWEST

Total Operating Expense	17,243,776	16,949,512
Fee Replacement	3,899,173	2,879,072

SOUTH BEND

Total Operating Expense	22,157,280	21,772,918
Fee Replacement	5,658,917	4,178,432

SOUTHEAST

Total Operating Expense	20,002,235	19,846,717
Fee Replacement	5,048,022	3,727,359

TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES
96,398,467 90,550,133

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY
AT INDIANAPOLIS (IUPUI)

HEALTH DIVISIONS

Total Operating Expense	104,111,058	102,027,773
Fee Replacement	4,189,020	4,160,100

FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE ON
THE CAMPUS OF THE UNIVERSITY OF SOUTHERN INDIANA

Total Operating Expense	1,565,404	1,603,670
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THE CAMPUS OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE

Total Operating Expense	1,440,072	1,475,274
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THE CAMPUS OF INDIANA UNIVERSITY-NORTHWEST

Total Operating Expense	2,045,819	2,095,829
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THE CAMPUS OF PURDUE UNIVERSITY

Total Operating Expense	1,826,182	1,870,823
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THE CAMPUS OF BALL STATE UNIVERSITY

Total Operating Expense	1,642,036	1,682,175
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THE CAMPUS OF THE UNIVERSITY OF NOTRE DAME

Total Operating Expense	1,522,791	1,560,016
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THE CAMPUS OF INDIANA STATE UNIVERSITY

Total Operating Expense	1,815,496	1,859,876
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The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)

GENERAL ACADEMIC DIVISIONS

Total Operating Expense	80,314,605	80,232,626
Fee Replacement	20,004,544	13,472,705

TOTAL APPROPRIATIONS - IUPUI

220,477,027	212,040,867
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

FOR INDIANA UNIVERSITY

ABILENE NETWORK OPERATIONS CENTER

Total Operating Expense	832,596	832,596
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SPINAL CORD AND HEAD INJURY RESEARCH CENTER

Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)

Total Operating Expense	524,230	524,230
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STATE DEPARTMENT OF TOXICOLOGY

Total Operating Expense	2,463,380	2,463,380
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INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES

Total Operating Expense	2,477,440	2,477,440
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GEOLOGICAL SURVEY

Total Operating Expense	3,102,244	3,102,244
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LOCAL GOVERNMENT ADVISORY COMMISSION

Total Operating Expense	56,543	56,543
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I-LIGHT NETWORK OPERATIONS

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	2,000,000	2,000,000
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FOR PURDUE UNIVERSITY

WEST LAFAYETTE

Total Operating Expense	248,053,173	241,119,044
Fee Replacement	26,722,911	27,614,524

FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES

CALUMET

Total Operating Expense	27,028,286	26,750,801
Fee Replacement	1,491,261	1,491,824

NORTH CENTRAL

Total Operating Expense	11,847,744	12,299,238
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TOTAL APPROPRIATION - PURDUE UNIVERSITY REGIONAL CAMPUSES

40,367,291 40,541,863

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY

AT FORT WAYNE (IPFW)

Total Operating Expense	37,378,801	37,816,896
Fee Replacement	5,995,241	5,980,642

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

FOR PURDUE UNIVERSITY

ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM

Total Operating Expense	3,449,706	3,449,706
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The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

STATEWIDE TECHNOLOGY

Total Operating Expense	6,433,939	6,433,939
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COUNTY AGRICULTURAL EXTENSION EDUCATORS

Total Operating Expense	7,234,605	7,234,605
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AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS

Total Operating Expense	7,238,961	7,238,961
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CENTER FOR PARALYSIS RESEARCH

Total Operating Expense	522,558	522,558
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UNIVERSITY-BASED BUSINESS ASSISTANCE

Total Operating Expense	1,889,039	1,889,039
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FOR INDIANA STATE UNIVERSITY

Total Operating Expense	72,442,778	71,536,249
Fee Replacement	8,231,452	9,455,023

NURSING PROGRAM

Total Operating Expense	240,000	240,000
FOR UNIVERSITY OF SOUTHERN INDIANA		
Total Operating Expense	39,044,222	39,172,365
Fee Replacement	11,920,469	11,119,519
HISTORIC NEW HARMONY		
Total Operating Expense	553,428	553,428
FOR BALL STATE UNIVERSITY		
Total Operating Expense	125,529,452	125,182,828
Fee Replacement	11,543,674	14,296,955
ENTREPRENEURIAL COLLEGE		
From the General Fund		
	960,000	960,000
From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
	1,000,000	1,000,000
The amounts specified from the General Fund and the American Recovery and Reinvestment Act are for the following purposes:		
Total Operating Expense	1,960,000	1,960,000
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
Total Operating Expense	4,273,836	4,273,836
FOR VINCENNES UNIVERSITY		
Total Operating Expense	37,420,510	37,190,537
Fee Replacement	5,275,650	5,282,662
FOR IVY TECH COMMUNITY COLLEGE		
Total Operating Expense	164,419,166	175,842,161
Fee Replacement	26,656,511	31,178,968
VALPO NURSING PARTNERSHIP		
Total Operating Expense	100,484	100,484
FT. WAYNE PUBLIC SAFETY TRAINING CENTER		
Total Operating Expense	1,000,000	1,000,000
FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)		
Build Indiana Fund (IC 4-30-17)		
Total Operating Expense	600,000	600,000

The above appropriations do not include funds for the course development grant program.

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech Community College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS, respectively, from all permanent fees and endowments and from all land grants, fees, earnings,

and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2009, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech Community College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution and for IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.

Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the

applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, the trustees of Ivy Tech Community College and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND

Total Operating Expense	2,247,056	2,247,056
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Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	1,476,735	1,476,735
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STATEWIDE TRANSFER WEB SITE

Total Operating Expense	644,293	644,293
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FOR THE DEPARTMENT OF ADMINISTRATION

ANIMAL DISEASE DIAGNOSTIC LABORATORY LEASE RENTAL

Total Operating Expense	1,045,098	1,046,630
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COLUMBUS LEARNING CENTER LEASE PAYMENT

Total Operating Expense	4,988,000	4,934,000
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FOR THE STATE BUDGET AGENCY

MEDICAL EDUCATION CENTER EXPANSION

Total Operating Expense	3,000,000	3,000,000
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The above appropriations for medical education center expansion are intended to help increase medical school class size on a statewide basis. The funds shall be used to help increase enrollment for years 1 and 2 and to provide clinical instruction for years 3 and 4. The funds shall be distributed to the nine (9) existing medical education centers in proportion to the increase in enrollment for each center. The budget agency shall release the funds after a plan is submitted and favorably reviewed by the budget committee.

TECHNICAL ASSISTANCE AND ADVANCED MANUFACTURING

Total Operating Expense	2,000,000	2,000,000
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The above appropriation for technical assistance and advanced manufacturing is intended to be used to expand post graduate pharmacy residency training and post graduate biomedical engineering specialization and for a technical assistance program for cost containment through the healthcare technology assistance program at Purdue University. Funds shall be released after favorable review by the budget committee.

CORE RESEARCH

Total Operating Expense	5,000,000	5,000,000
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The above appropriations for core research are intended to fund facilities, equipment, researchers, and related expenses at Purdue University and Indiana University to conduct basic research in the core life sciences that are aligned with Indiana's major bioscience employment sectors. Those sectors include pharmaceutical, biotech, medical devices and equipment, orthopedics, and agricultural feedstock and chemicals. Funds shall be released after favorable review by the budget committee. Purdue University and Indiana University shall report to the budget committee on the status of the program one (1) year after the funds are released.

GIGAPOP PROJECT

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	771,951	771,951
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SOUTH CENTRAL EDUCATIONAL ALLIANCE - BEDFORD SERVICE AREA

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	395,266	395,266
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SOUTHEAST INDIANA EDUCATION SERVICES

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	695,226	695,226
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DEGREE LINK

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	541,465	541,465
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The above appropriations shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech Community College and Vincennes University locations through Degree Link.

WORKFORCE CENTERS

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	862,110	862,110
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MIDWEST HIGHER EDUCATION COMMISSION

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	95,000	95,000
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HIGHER EDUCATION FEE REPLACEMENT

Total Operating Expense	0	16,500,000
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The state budget agency shall transfer fee replacement as needed for higher education capital projects approved by the budget committee.

FOR THE STATE STUDENT ASSISTANCE COMMISSION

Total Operating Expense	1,073,337	1,073,337
FREEDOM OF CHOICE GRANTS		
Total Operating Expense	50,660,522	52,130,838
HIGHER EDUCATION AWARD PROGRAM		
Total Operating Expense	148,575,712	152,886,733
NURSING SCHOLARSHIP PROGRAM		
Total Operating Expense	418,389	418,389
HOOSIER SCHOLAR PROGRAM		
Total Operating Expense	404,500	404,500

For the higher education awards and freedom of choice grants made for the 2009-2011 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

(1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.

(2) Maximum Base Award: The maximum award shall not exceed the lesser of:

(A) eighty percent (80%) of actual prior academic year undergraduate tuition and fees; or

(B) eighty percent (80%) of the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any public institution of higher education.

(3) Minimum Award: No actual award shall be less than \$400.

(4) Award Size: A student's maximum award shall be reduced one (1) time:

(A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid application form; and

(B) for independent students, by the expected contribution derived from information submitted on the financial aid application form.

(5) Award Adjustment: The maximum base award may be adjusted by the commission, for any eligible recipient who fulfills college preparation requirements defined by the commission.

(6) Adjustment:

(A) If the dollar amounts of eligible awards exceed appropriations and program reserves, all awards may be adjusted by the commission by reducing the maximum award under subdivision (2)(A) or (2)(B).

(B) If appropriations and program reserves are sufficient and the maximum awards are not at the levels described in subdivision (2)(A) and (2)(B), all awards may be adjusted by the commission by proportionally increasing the awards to the maximum award under that subdivision so that parity between those maxima is maintained but not exceeded.

For the Hoosier scholar program for the 2009-2011 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

STATUTORY FEE REMISSION

Total Operating Expense	20,557,932	20,557,932
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PART-TIME STUDENT GRANT DISTRIBUTION

Total Operating Expense	5,462,100	5,462,100
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Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the part-time grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

CONTRACT FOR INSTRUCTIONAL OPPORTUNITIES IN SOUTHEASTERN INDIANA

Total Operating Expense	458,253	458,253
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MINORITY TEACHER SCHOLARSHIP FUND

Total Operating Expense	415,919	415,919
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COLLEGE WORK STUDY PROGRAM

Total Operating Expense	837,719	837,719
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21ST CENTURY ADMINISTRATION

Total Operating Expense	2,102,648	2,102,648
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21ST CENTURY SCHOLAR AWARDS

Total Operating Expense	28,289,852	29,109,298
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Augmentation for 21st Century Scholar Awards allowed from the general fund.

The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

Family and social services administration, division of family resources, shall apply all qualifying expenditures for the 21st century scholars program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.)

NATIONAL GUARD SCHOLARSHIP

Total Operating Expense	2,874,264	2,874,264
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The above appropriations for national guard scholarship and any program reserves existing on June 30, 2009, shall be the total allowable state expenditure for the program in the 2009-2011 biennium. If the dollar amounts of eligible awards exceed

appropriations and program reserves, the state student assistance commission shall develop a plan to ensure that the total dollar amount does not exceed the above appropriations and any program reserves.

INSURANCE EDUCATION SCHOLARSHIPS

Insurance Education Scholarship Fund (IC 21-12-9-5)		
Total Operating Expense	100,000	100,000
Augmentation allowed.		

B. ELEMENTARY AND SECONDARY EDUCATION

FOR THE DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

Total Operating Expense	3,144,762	3,144,762
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The foregoing appropriations for the Indiana state board of education are for the education roundtable established by IC 20-19-4; for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects including national and international assessments; and for state board and roundtable administrative expenses.

SUPERINTENDENT'S OFFICE

From the General Fund		
	8,495,125	8,495,125
From the Professional Standards Fund (IC 20-28-2-8)		
	395,000	395,000
Augmentation allowed from the Professional Standards Fund.		

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	5,895,372	5,895,372
Other Operating Expense	2,994,753	2,994,753

PUBLIC TELEVISION DISTRIBUTION

Total Operating Expense	3,220,000	3,220,000
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These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public education television stations that shall be approved by the budget agency after review by the budget committee. Of the above appropriations, \$368,000 each year shall be distributed equally among all of the public radio stations.

SCHOOL IMPROVEMENT PROGRAMS

ARRA State Fiscal Stabilization Fund (Section 14002(b))

Total Operating Expense	5,000,000
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The foregoing appropriation shall be used for the Woodrow Wilson teaching fellowship program for new math and science teachers in underserved areas and to support start-up costs to establish New Tech high schools in Indiana.

RILEY HOSPITAL		
Total Operating Expense	27,900	27,900
BEST BUDDIES		
Total Operating Expense	250,000	250,000
MOTORCYCLE OPERATOR SAFETY EDUCATION FUND		
Safety Education Fund (IC 20-30-13-11)		
Personal Services	154,388	154,388
Other Operating Expense	829,642	829,642

The foregoing appropriations for the motorcycle operator safety education fund are from the motorcycle operator safety education fund created by IC 20-30-13-11.

SCHOOL TRAFFIC SAFETY		
Motor Vehicle Highway Account (IC 8-14-1)		
Personal Services	224,364	224,364
Other Operating Expense	28,119	28,119
Augmentation allowed.		
EDUCATION LICENSE PLATE FEES		
Education License Plate Fees Fund (IC 9-18-31)		
Total Operating Expense	141,200	141,200
ACCREDITATION SYSTEM		
Personal Services	566,462	566,462
Other Operating Expense	283,966	283,966
SPECIAL EDUCATION (S-5)		
Total Operating Expense	24,750,000	24,750,000

The foregoing appropriations for special education are made under IC 20-35-6-2.

SPECIAL EDUCATION EXCISE		
Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)		
Personal Services	386,527	386,527
Augmentation allowed.		
CAREER AND TECHNICAL EDUCATION		
Personal Services	1,390,117	1,390,117
Other Operating Expense	36,828	36,828
ADVANCED PLACEMENT PROGRAM		
Other Operating Expense	953,284	953,284

The above appropriations for the Advanced Placement Program are to provide funding for students of accredited public and nonpublic schools.

PSAT PROGRAM		
Other Operating Expense	717,449	717,449

The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools.

EDUCATION SERVICE CENTERS		
Total Operating Expense	2,100,000	1,000,000

No appropriation made for an education service center shall be distributed to the

administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least three dollars (\$3) per student for fiscal year 2009-2010 based on the school corporation's ADM count as reported for school aid distribution in the fall of 2008 and at least three dollars (\$3) per student for fiscal year 2010-2011, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 2009. Before notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE
CHILDREN IN MENTAL HEALTH FACILITIES)

Total Operating Expense	25,000	25,000
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The foregoing appropriations for transfer tuition (state employees' children and eligible children in mental health facilities) are made under IC 20-26-11-8 and IC 20-26-11-10.

TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

Total Operating Expense	2,403,792	2,403,792
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The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teacher's retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

Total Operating Expense	6,420,765,650	6,558,700,000
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After July 1, 2009, but before June 30, 2011, the state budget agency shall transfer six hundred ten million dollars (\$610,000,000) from the state tuition reserve fund to the state general fund to support the foregoing appropriations. The \$610,000,000 represents the monies under Section 14002(a) of ARRA used to restore state support and fund the CY 2009 tuition support distribution pursuant to the school funding formula contained in HEA 1001-2007.

The foregoing appropriations for distribution for tuition support are to be distributed for tuition support, special education programs, career and technical education programs, honors grants, and the primetime program in accordance with a statute enacted for this purpose during the 2009 session of the general assembly.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, any excess shall revert to the general fund.

The above appropriations for tuition support shall be made each calendar year under

a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each calendar year shall equal the amount required under the statute enacted for the purpose referred to above.

DISTRIBUTION FOR SUMMER SCHOOL

Other Operating Expense	18,360,000	18,360,000
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It is the intent of the 2009 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	4,720,000	4,720,000
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The above appropriation for the early intervention program may be used for grants to local school corporations for grant proposals for early intervention programs.

The foregoing appropriations may be used by the department for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and nonpublic school first and second grade students upon the approval of the governing body of school corporations. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board and the education roundtable.

SCHOOL CIRCUIT BREAKER REPLACEMENT CREDITS

Total Operating Expense	38,000,000	27,000,000
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The above appropriations for school circuit breaker replacement credits replace the appropriations in HEA 1001-2008, SECTION 857.

ADULT EDUCATION DISTRIBUTION

Total Operating Expense	14,000,000	14,000,000
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It is the intent of the 2009 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	5,400,000	5,400,000
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MARION COUNTY DESEGREGATION COURT ORDER

Total Operating Expense	18,000,000	18,000,000
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The foregoing appropriations for court ordered desegregation costs are made pursuant to order No. IP 68-C-225-S of the United States District Court for the Southern District

of Indiana. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

TEXTBOOK REIMBURSEMENT

Total Operating Expense	39,000,000	39,000,000
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Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. Family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

The foregoing appropriations for textbook reimbursement include the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

FULL-DAY KINDERGARTEN

Total Operating Expense	58,500,000	58,500,000
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The above appropriations for full day kindergarten are available to school corporations and charter schools that apply to the department of education for funding of full day kindergarten. The amount available to a school corporation or charter school equals the amount appropriated divided by the total full day kindergarten enrollment of all participating school corporations and charter schools (as defined in IC 20-43-1-11) for the current year, and then multiplied by the school corporation's or charter school's full day kindergarten enrollment (as defined in IC 20-43-1-11) for the current year. However, a school corporation or charter school may not receive more than \$2,500 dollars per student for full day kindergarten. A school corporation or charter school that is awarded a grant must provide to the department of education a financial report stating how the funds were spent. Any unspent funds at the end of the biennium must be returned to the state by the school corporation or charter school.

To provide full day kindergarten programs, a school corporation or charter school that determines there is inadequate space to offer a program in the school corporation's or charter school's existing facilities may offer the program in any suitable space located within the geographic boundaries of the school corporation or, in the case of a charter school, a location that is in the general vicinity of the charter school's existing facilities. A full day kindergarten program offered by a school corporation or charter school must meet the academic standards and other requirements of IC 20.

A school corporation or charter school that receives a grant must meet the academic standards and other requirements of IC 20.

In awarding grants from the above appropriations, the department of education may not refuse to make a grant to a school corporation or reduce the award that would

otherwise be made to the school corporation because the school corporation used federal grants or loans, including Title I grants, to fund part or all of the school corporation's full day kindergarten program in a school year before the school year in which the grant will be given or because the school corporation intends to use federal grants or loans, including Title I grants, to fund part of the school corporation's full day kindergarten program in a school year in which the grant will be given.

The state board and department shall provide support to school corporations and charter schools in the development and implementation of child centered and learning focused programs using the following methods:

- (1) Targeting professional development funds to provide teachers in kindergarten through grade 3 education in:
 - (A) scientifically proven methods of teaching reading;
 - (B) the use of data to guide instruction; and
 - (C) the use of age appropriate literacy and mathematics assessments.
- (2) Making uniform, predictively valid, observational assessments that:
 - (A) provide frequent information concerning the student's progress to the student's teacher; and
 - (B) measure the student's progress in literacy;available to teachers in kindergarten through grade 3. Teachers shall monitor students participating in a program, and the school corporation or charter school shall report the results of the assessments to the parents of a child completing an assessment and to the department.
- (3) Undertaking a longitudinal study of students in programs in Indiana to determine the achievement levels of the students in kindergarten and later grades.

The school corporation or charter school may use any funds otherwise allowable under state and federal law, including the school corporation's general fund, any funds available to the charter school, or voluntary parent fees, to provide full day kindergarten programs.

TESTING AND REMEDIATION

Total Operating Expense	39,000,000	39,000,000
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for remediation, review and approval of the formula and components shall be made by the budget agency.

The above appropriation for testing and remediation shall be used by school corporations to provide remediation programs for students who attend public and nonpublic schools. For purposes of tuition support, these students are not to be counted in the average daily membership. Of the above appropriation for testing and remediation, \$500,000 each year shall be used for ACT/SAT test preparation.

GRADUATION EXAM REMEDIATION

Other Operating Expense	4,958,910	4,958,910
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for graduation exam remediation, review and approval of the formula and components shall be made by the budget agency.

SPECIAL EDUCATION PRESCHOOL

Total Operating Expense	19,200,000	0
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The above appropriations shall be distributed to guarantee a minimum of \$2,750 per child enrolled in special education preschool programs. It is the intent of the 2009 general assembly that the above appropriations for special education preschool shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

NON-ENGLISH SPEAKING PROGRAM

Other Operating Expense	6,965,055	6,965,055
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The above appropriations for the Non-English Speaking Program are for pupils who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is two hundred dollars (\$200) per pupil. It is the intent of the 2009 general assembly that the above appropriations for the Non-English Speaking Program shall be the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's distribution proportionately.

GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	148,024	148,024
Other Operating Expense	12,788,157	12,788,157

DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION

Total Operating Expense	250,000	250,000
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The distribution for adult career and technical education programs shall be made in accordance with the state plan for vocational education.

PRIMETIME

Personal Services	202,136	202,136
Other Operating Expense	32,053	32,053

DRUG FREE SCHOOLS

Personal Services	46,203	46,203
Other Operating Expense	20,451	20,451

PROFESSIONAL DEVELOPMENT DISTRIBUTION

Other Operating Expense	5,500,000	5,500,000
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The foregoing appropriation for professional development distribution includes schools defined under IC 20-31-2-8.

ALTERNATIVE EDUCATION

Total Operating Expense	6,580,319	6,580,319
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The above appropriation includes funding to provide \$5,000 for each child attending a charter school operated by an accredited hospital specializing in the treatment

of alcohol or drug abuse. This funding is in addition to tuition support for the charter school.

The foregoing appropriation for alternative education may be used for dropout prevention defined under IC 20-20-37.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM (IC 20-20-13)

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	3,809,965	3,809,965
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Of the above appropriations for the Senator David C. Ford Educational Technology Program, \$825,000 shall be allocated each year to the buddy system. The department shall use the remaining funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants. Up to \$200,000 may be used each year to support the operation of the office of the special assistant to the superintendent of public instruction for technology.

PROFESSIONAL STANDARDS DIVISION

From the General Fund

2,882,513	2,882,513
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From the Professional Standards Fund (IC 20-28-2-8)

1,000,000	1,000,000
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Augmentation allowed.

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	2,243,571	2,243,571
Other Operating Expense	1,638,942	1,638,942

The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

FOR THE INDIANA STATE TEACHERS' RETIREMENT FUND

POSTRETIREMENT PENSION INCREASES

Other Operating Expense	58,190,084	60,517,687
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The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 5-10.4 and IC 5-10.2-5.

TEACHERS' RETIREMENT FUND DISTRIBUTION

Other Operating Expense	618,616,164	643,780,810
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Augmentation allowed.

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the teachers' retirement fund is:

- (1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for

the year shall be augmented from the general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or (2) less than the above appropriations for a year, the excess shall be retained in the general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

Personal Services	587,688	587,688
Other Operating Expense	52,720	52,720

FOR THE STATE LIBRARY

Personal Services	2,589,615	2,589,615
Other Operating Expense	850,689	850,689

STATEWIDE LIBRARY SERVICES

Total Operating Expense	1,593,503	1,593,503
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The foregoing appropriations for statewide library services will be used to provide services to libraries across the state. These services may include, but will not be limited to, programs including Wheels, I*Ask, and professional development. The state library shall identify statewide library services that are to be provided by a vendor. Those services identified by the library shall be procured through a competitive process using one (1) or more requests for proposals covering the service.

LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES

Other Operating Expense	36,400	36,400
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ACADEMY OF SCIENCE

Total Operating Expense	8,811	8,811
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FOR THE ARTS COMMISSION

Personal Services	418,557	418,557
Other Operating Expense	2,783,811	2,783,811

The foregoing appropriation to the arts commission includes \$325,000 each year to provide grants under IC 4-23-2.5 to:

- (1) the arts organizations that have most recently qualified for general operating support as major arts organizations as determined by the arts commission;
- and
- (2) the significant regional organizations that have most recently qualified for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.

FOR THE HISTORICAL BUREAU

Personal Services	361,055	361,055
Other Operating Expense	10,479	10,479

HISTORICAL MARKER PROGRAM

Total Operating Expense		25,444
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FOR THE COMMISSION ON PROPRIETARY EDUCATION

Personal Services	299,783	299,783
Other Operating Expense	22,040	22,040

2009(ss)-182-10

SECTION 10.

DISTRIBUTIONS

FOR THE AUDITOR OF STATE

HEA 1001 (2008) HOMESTEAD CREDITS

Total Operating Expense	110,000,000	40,000,000
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The above appropriations are for additional homestead credits for property taxes paid in 2009 and 2010. ARRA(b) funds determined by the budget agency to be available shall be used to make the distributions.

GAMING TAX

Total Operating Expense	139,753,902	139,753,902
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2009(ss)-182-11

SECTION 11.

The following allocations of federal funds are available for vocational and technical education under the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301 et seq. for Vocational and Technical Education) (20 U.S.C. 2371 for Tech Prep Education). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consultation with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

STATE PROGRAMS AND LEADERSHIP

2,557,290	2,557,290
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SECONDARY VOCATIONAL PROGRAMS

14,318,661	14,318,661
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POSTSECONDARY VOCATIONAL PROGRAMS

8,202,039	8,202,039
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TECHNOLOGY - PREPARATION EDUCATION

2,463,650	2,463,650
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2009(ss)-182-12

SECTION 12.

In accordance with IC 22-4.1-13, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 11 of this act.

2009(ss)-182-13

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund

of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

2009(ss)-182-14

SECTION 14.

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

2009(ss)-182-15

SECTION 15.

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is \$50 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

2009(ss)-182-16

SECTION 16.

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

2009(ss)-182-17

SECTION 17.

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

2009(ss)-182-18

SECTION 18.

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.

2009(ss)-182-19

SECTION 19.

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

2009(ss)-182-20

SECTION 20.

If any state penal or benevolent institution other than the Indiana state prison, Pendleton correctional facility, or Putnamville correctional facility shall, in the operation of its farms, produce products or commodities in excess of the needs of the institution, the surplus may be sold through the division of industries and farms, the director of the supply division of the Indiana department of administration, or both. The proceeds of any such sale or sales shall be deposited in the state treasury. The amount deposited is hereby reappropriated to the institution for expenses of the then current year if approved by the director of the budget agency. The exchange between state penal and benevolent institutions of livestock for breeding purposes only is hereby authorized at valuations agreed upon between the superintendents or wardens of the institutions. Capital outlay expenditures may be made from the institutional industries and farms revolving fund if approved by the budget agency and the governor.

2009(ss)-182-21

SECTION 21.

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.

2009(ss)-182-22

SECTION 22.

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

2009(ss)-182-23

SECTION 23.

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

2009(ss)-182-24

SECTION 24.

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:

- (1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.
- (2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.
- (3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment.

In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on

each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

2009(ss)-182-25

SECTION 25.

When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

2009(ss)-182-26

SECTION 26.

The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

2009(ss)-182-27

SECTION 27.

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).

2009(ss)-182-28

SECTION 28.

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director.

2009(ss)-182-29

SECTION 29.

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

2009(ss)-182-30

SECTION 30.

Subject to SECTION 25 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2009-2011 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

2009(ss)-182-31**SECTION 31.****CONSTRUCTION**

For the 2009-2011 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for such properties and other projects as specified.

State General Fund - Lease Rentals	
	328,620,484
State General Fund - Construction	
	90,662,916
State Police Building Commission Fund (IC 9-29-1-4)	
	3,200,000
Law Enforcement Academy Building Fund (IC 5-2-1-13(a))	
	330,727
Cigarette Tax Fund (IC 6-7-1-29.1)	
	3,600,000
Veterans' Home Building Fund (IC 10-17-9-7)	
	5,449,777
Postwar Construction Fund (IC 7.1-4-8-1)	
	37,462,844
Regional Health Care Construction Account (IC 4-12-8.5)	
	21,489,259
Build Indiana Fund (IC 4-30-17)	
	2,400,000
State Highway Fund (IC 8-23-9-54)	
	25,000,000
ARRA State Fiscal Stabilization Fund (Section 14002(b))	
	21,000,000
TOTAL	539,216,007

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT**FOR THE SENATE**

Remodeling	260,000
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FOR THE STATE BUDGET AGENCY

Health and Safety Contingency Fund	5,000,000
Aviation Technology Center	2,471,771
Airport Facilities Lease	45,301,441

Stadium Lease Rental	82,000,000
DEPARTMENT OF ADMINISTRATION - PROJECTS	
Preventive Maintenance	7,841,835
Repair and Rehabilitation	2,935,000
DEPARTMENT OF ADMINISTRATION - LEASES	
General Fund	
Lease - Government Center North	27,872,783
Lease - Government Center South	34,073,925
Lease - State Museum	14,579,033
Lease - McCarty Street Warehouse	1,509,375
Lease - Parking Garages	10,428,265
Lease - Toxicology Lab	10,593,099
Lease - Wabash Valley Correctional	36,517,566
Lease - Miami Correctional	29,364,180
Lease - Pendleton Juvenile Correctional	10,217,237
Lease - New Castle Correctional	23,691,809
Postwar Construction Fund (IC 7.1-4-8-1)	
Lease - Rockville Correctional	10,783,470
Regional Health Care Construction Account (IC 4-12-8.5)	
Lease - Evansville State Hospital	5,462,562
Lease - Southeast Regional Treatment	10,358,654
Lease - Logansport State Hospital	5,668,043
INDIANA FINANCE AUTHORITY	
ARRA State Fiscal Stabilization Fund (Section 14002(b))	
Muscatatuck Urban Training Center Infrastructure	2,000,000
B. PUBLIC SAFETY	
(1) LAW ENFORCEMENT	
INDIANA STATE POLICE	
State Police Building Commission Fund (IC 9-29-1-4)	
Preventive Maintenance	1,015,000
Repair and Rehabilitation	2,185,000
LAW ENFORCEMENT TRAINING BOARD	
Law Enforcement Academy Building Fund (IC 5-2-1-13(a))	
Preventive Maintenance	330,727
ADJUTANT GENERAL	
Preventive Maintenance	250,000
Land Acquisition	4,000,000
ARRA State Fiscal Stabilization Fund (Section 14002(b))	
Renovation for Youth Challenge Program	2,000,000
(2) CORRECTIONS	
DEPARTMENT OF CORRECTION - PROJECTS	
Preventive Maintenance	76,828
CORRECTIONAL UNITS	
Preventive Maintenance	1,438,770

STATE PRISON	
Preventive Maintenance	954,492
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,298,000
PENDLETON CORRECTIONAL FACILITY	
Preventive Maintenance	1,257,064
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	3,465,000
WOMEN'S PRISON	
Preventive Maintenance	538,832
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	291,000
NEW CASTLE CORRECTIONAL FACILITY	
Preventive Maintenance	350,388
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	365,000
PUTNAMVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	864,822
Postwar Construction Fund (IC 7.1-4-8-1)	
Construct New Fire Station	250,000
Repair and Rehabilitation	1,570,000
PLAINFIELD EDUCATION RE-ENTRY FACILITY	
Preventive Maintenance	322,804
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	740,000
INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	395,510
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	212,500
BRANCHVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	272,932
WESTVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	806,330
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,300,000
ROCKVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	357,296
PLAINFIELD CORRECTIONAL FACILITY	
Preventive Maintenance	663,704
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,054,000
RECEPTION-DIAGNOSTIC CENTER	
Preventive Maintenance	214,464
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	692,000
CORRECTIONAL INDUSTRIAL FACILITY	
Preventive Maintenance	584,172
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	1,853,000
WABASH VALLEY CORRECTIONAL FACILITY	
Preventive Maintenance	608,820

Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	160,000
CHAIN O' LAKES CORRECTIONAL FACILITY	
Preventive Maintenance	76,828
Postwar Construction Fund (IC 7.1-4-8-1)	
Construct New Maintenance Building	180,000
Construct New Dormitory	320,000
MADISON CORRECTIONAL FACILITY	
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	90,000
MIAMI CORRECTIONAL FACILITY	
Preventive Maintenance	664,560
CAMP SUMMIT CORRECTIONAL FACILITY	
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	470,000
PENDLETON JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	228,738

C. CONSERVATION AND ENVIRONMENT

DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION	
Preventive Maintenance	150,000
Repair and Rehabilitation	1,000,000
FISH AND WILDLIFE	
Preventive Maintenance	2,000,000
Repair and Rehabilitation	3,650,000
FORESTRY	
Preventive Maintenance	2,000,000
Repair and Rehabilitation	4,000,000
MUSEUMS AND HISTORIC SITES	
Preventive Maintenance	475,000
Historic Sites Exhibits	650,000
Repair and Rehabilitation	2,000,000
NATURE PRESERVES	
Preventive Maintenance	230,000
Repair and Rehabilitation	1,268,542
OUTDOOR RECREATION	
Preventive Maintenance	50,000
Outdoor Rec. SCORP	40,000
Repair and Rehabilitation	473,645
STATE PARKS AND RESERVOIR MANAGEMENT	
Preventive Maintenance	2,900,000
Repair and Rehabilitation	20,063,689
State Parks Bond Payments	917,028
Falls of the Ohio Lease	364,000
Cigarette Tax Fund (IC 6-7-1-29.1)	
Preventive Maintenance	3,600,000
DIVISION OF WATER	
Preventive Maintenance	125,000
Div. of Water Flood Plain Mapping	400,000
Repair and Rehabilitation	2,425,000

ELKHART RIVER	
Flood Control	400,000
ENFORCEMENT	
Preventive Maintenance	250,000
STATE MUSEUM	
Preventive Maintenance	762,500
ENTOMOLOGY	
Repair and Rehabilitation	1,000,000
WAR MEMORIALS COMMISSION	
Preventive Maintenance	1,234,000
IWM Fire Suppression/Material Abatement	300,000
Indiana War Memorial ADA Access	250,000
Repair and Rehabilitation	192,000
LITTLE CALUMET RIVER BASIN COMMISSION	
ARRA State Fiscal Stabilization Fund (Section 14002(b))	
Repair and Rehabilitation	14,000,000
KANKAKEE RIVER BASIN COMMISSION	
Repair and Rehabilitation	1,000,000

D. TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

State Highway Fund (IC 8-23-9-54)

Buildings and Grounds	25,000,000
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The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping of new highway facilities and for maintenance, repair, and rehabilitation of existing state highway facilities after review by the budget committee.

AIRPORT DEVELOPMENT

Build Indiana Fund (IC 4-30-17)

Airport Development	2,400,000
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The foregoing allocation for the Indiana department of transportation is for airport development and shall be used for the purpose of assisting local airport authorities and local units of governments in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.

The above appropriation for airport development includes \$200,000 for the Lawrence County Board of Aviation Commissioners for an airport improvement project.

E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION

EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER

Preventive Maintenance	45,000
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Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	287,660
EVANSVILLE STATE HOSPITAL	
Preventive Maintenance	500,000
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	360,000
MADISON STATE HOSPITAL	
Preventive Maintenance	971,409
Repair and Rehabilitation	956,800
LOGANSPOUT STATE HOSPITAL	
Preventive Maintenance	963,144
Repair and Rehabilitation	1,486,700
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	3,000,000
RICHMOND STATE HOSPITAL	
Preventive Maintenance	1,210,724
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,403,700
LARUE CARTER MEMORIAL HOSPITAL	
Preventive Maintenance	1,863,118

(2) PUBLIC HEALTH

SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED	
Preventive Maintenance	565,714
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,288,013
SCHOOL FOR THE DEAF	
Preventive Maintenance	565,714
Postwar Construction Fund (IC 7.1-4-8-1)	
Repair and Rehabilitation	2,029,501

(3) VETERANS' AFFAIRS

INDIANA VETERANS' HOME	
Veterans' Home Building Fund (IC 10-17-9-7)	
Preventive Maintenance	1,500,000
Repair and Rehabilitation	3,949,777
ARRA State Fiscal Stabilization Fund (Section 14002(b))	
Repair and Rehabilitation	3,000,000

2009(ss)-182-32

SECTION 32.

The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts.

2009(ss)-182-33

SECTION 33.

If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration

of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.

2009(ss)-182-34

SECTION 34.

The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet the service needs of the developmentally disabled and the mentally ill in any year.

2009(ss)-182-35

SECTION 35.

If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund any additional amount necessary to maintain a positive balance in the general fund.

2009(ss)-182-36

SECTION 36.

To the extent permitted by federal law the budget agency shall use funds under Section 14002(a) of the American Recovery and Reinvestment Act of 2009 to restore state operating support for institutions of higher education to the fiscal year 2009 appropriation (base level) as shown below for each institution. The amounts listed below may be used for operating expenses or repair and rehabilitation.

	FY 2008-2009	FY 2009-2010	FY 2010-2011
Indiana University - Bloomington Campus	2,022,022	7,293,604	11,532,110
Indiana University - Regional Campuses			
East	83,221	343,453	426,132
Kokomo	108,175	407,892	471,460
Northwest	180,613	817,520	1,111,784
South Bend	232,360	1,078,727	1,463,089
Southeast	208,488	846,567	1,002,086
Indiana Univ.-Purdue Univ. at Indianapolis			
Health Divisions	1,244,347	8,465,818	10,259,242
Indiana Univ.-Purdue Univ. at Indianapolis			
General Academic Divisions	833,116	2,996,957	3,078,936
Abilene Network Operations Center	8,673	34,692	34,692
Spinal Cord and Head Injury Research Center	5,461	0	0
Institute - Study of Developmental Disabilities	25,807	103,227	103,227
Geological Survey	32,316	129,260	129,260
Local Government Advisory Commission	589	2,356	2,356
Purdue University - West Lafayette	2,620,338	13,980,564	20,914,733

Purdue University - Regional Campuses			
Calumet	282,127	1,184,418	1,461,903
North Central	119,698	122,080	0
Indiana Univ.-Purdue Univ. at Ft. Wayne	384,498	1,070,904	632,809
Purdue University			
Animal Disease Diagnostic Laboratory System	35,935	143,738	143,738
Statewide Technology	67,021	268,081	268,081
County Agricultural Extension Educators	75,361	301,442	301,442
Agricultural Research & Extension-Crossroads	75,406	301,623	301,623
Center for Paralysis Research	5,444	21,773	21,773
University-Based Business Assistance	19,678	78,710	78,710
Indiana State University	769,112	4,468,353	5,374,882
Nursing Program	2,500	10,000	10,000
University of Southern Indiana	403,875	1,343,207	1,215,064
Historic New Harmony	5,765	23,060	23,060
Ball State University	1,303,813	4,851,792	5,198,416
Entrepreneurial College	10,000	40,000	40,000
Academy for Science, Math, and Humanities	44,514	178,077	178,077
Vincennes University	389,672	1,546,631	1,776,604
IVY Tech Community College	1,624,151	0	0
VALPO Nursing Partnership	1,047	4,187	4,187

Funds shall be distributed in one (1) or more installments after June 30, 2009, and before July 1, 2011, on a schedule determined by the budget agency after review by the budget committee. The above amounts may be adjusted to reflect the actual amount of federal funds available.

2009(ss)-182-37

SECTION 37.

To the extent permitted by federal law the budget agency shall use funds under Section 14002(a) of the American Recovery and Reinvestment Act of 2009 to restore repair and rehabilitation funding for institutions of higher education to the fiscal year 2009 appropriation (base level) as shown below for each institution. The amounts listed below may be used for repair and rehabilitation.

	FY 2008-2009	Biennium
Indiana University - R & R	12,601,282	18,936,965
Purdue University - R & R	9,888,659	14,860,487
Indiana State University - R & R	2,340,990	3,517,995
University of Southern Indiana - R & R	560,963	843,004
Ball State University - R & R	3,363,151	5,054,079
Vincennes University - R & R	1,136,484	1,707,886
IVY Tech Community College - R & R	1,143,521	1,718,461

Funds shall be distributed in one (1) or more installments after June 30, 2009, and before July 1, 2011, on a schedule determined by the budget agency after review by the budget committee. The review and approval requirements contained in IC 21-33-3-6 shall apply to the use of the funds authorized under this SECTION. The above amounts may be adjusted to reflect the actual amount of federal funds available.

2009(ss)-182-38

SECTION 38. (a) On or before July 15, 2010, the budget agency shall calculate whether receipts from actual tax collections for the state fiscal year ending June 30, 2010, exceed the May 27, 2009, adjusted state revenue forecast for that state fiscal year. If actual receipts for the state fiscal year ending June 30, 2010, exceed the May 27, 2009, adjusted state revenue forecast for that state fiscal year, fifty percent (50%) of the excess revenue is appropriated to the department of education to be used as a special one (1) time tuition support distribution. Any funds distributed under this SECTION shall be used to increase the foundation amount for each school corporation eligible for a tuition support distribution. The budget agency and the department of education may exceed the calendar year tuition support maximum distribution contained in IC 20-43-2-2 as necessary to implement this SECTION.

(b) This SECTION expires June 30, 2011.

2009(ss)-182-39

SECTION 39. The governor shall cause reversions of:

- (1) twenty-five million dollars (\$25,000,000) to be made from state general fund appropriations to non-public safety agencies and programs in the state fiscal year ending June 30, 2010; and
- (2) twenty-five million dollars (\$25,000,000) to be made from state general fund appropriations to non-public safety agencies and programs in the state fiscal year ending June 30, 2011.

2009(ss)-182-40

Revisor's Note: P.L.182-2009(ss), SEC.518 amended this SECTION to read as follows.

SECTION 40. The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Purdue University	
Life Sciences Laboratory Renovations	10,000,000
Medical School Renovations	12,000,000
Vincennes University	
Davis Hall	850,000
P.E. Building	5,000,000
Indiana State University	
Federal Building	20,000,000
Indiana University	
Northwest Regional Campus	
Tamarack Hall	33,000,000
Ivy Tech Community College	
Gary Campus	20,000,000
University of Southern Indiana	
Teacher Theatre Replacement Project	15,000,000
Indiana University	
Life Sciences Laboratory Renovations	10,000,000
Indiana University Southeast	

Education and Technology Building	22,000,000
Indiana University Purdue University at Indianapolis	
Life Sciences Laboratory Renovations	10,000,000
Ivy Tech Community College	
Anderson Campus	20,000,000
Bloomington Campus	20,000,000
Warsaw Campus	10,100,000
Ball State University	
Central Campus Rehabilitation	19,700,000
Indiana University Purdue University Fort Wayne	
Northeast Indiana Innovation Center	10,000,000

Of the above authorization for medical school renovations, a maximum of six million dollars (\$6,000,000) is eligible for fee replacement. Of the above authorization for the Indiana State University Federal Building project, only ten million dollars (\$10,000,000) is eligible for fee replacement.

2009(ss)-182-41

SECTION 41. The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Indiana University Purdue University at Indianapolis	
Neurosciences Building	33,000,000
Indiana University Bloomington	
Cyber Infrastructure	35,700,000
Purdue University	
North Central Campus	
Student Services Complex	30,000,000

Except as provided by this SECTION, the above projects are eligible for fee replacement after July 1, 2011. Only sixteen million dollars (\$16,000,000) of the Indiana University Bloomington Cyber Infrastructure project and twenty-three million dollars (\$23,000,000) of the Indiana University Purdue University at Indianapolis Neurosciences Building project are eligible for fee replacement after July 1, 2011. Only twenty-three million seven hundred thousand dollars (\$23,700,000) of the Purdue University North Central Campus Student Services Complex is eligible for fee replacement after July 1, 2011.

2009(ss)-182-42

SECTION 42. The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required under IC 21-33-3, to provide funds for the acquisition, renovation, expansion, and improvements for the following projects (including all related and subordinate components of the following projects) and may undertake the project if the total costs financed by the bond issue, excluding any amount necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, do not exceed the total authority listed below for that institution:

Purdue University	
Lafayette Campus	
Student Fitness and Wellness Center	98,000,000
Indiana University Purdue University at Fort Wayne	
Parking Garage	16,800,000

The foregoing projects are not eligible for fee replacement appropriations in any year.

2009(ss)-182-43

SECTION 43. The trustees of the following institution may issue and sell bonds under IC 21-34, subject to the approvals required under IC 21-33-3, for the following project if the principal costs of any bonds issued, excluding any amount necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed twenty million dollars (\$20,000,000):

Purdue University West Lafayette -- Drug Discovery Facility
The foregoing project is not eligible for fee replacement appropriations in any year.

2009(ss)-182-44

SECTION 44. (a) The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Indiana State University - Life Sciences/Chemistry	
Laboratory Renovations & Chiller	14,800,000
Ball State University - Central Campus	
Academic Project, Phase I & Utilities	33,000,000
Ivy Tech - Elkhart Phase I	4,000,000

(b) Except for an additional four million dollars (\$4,000,000) authorized for Ivy Tech - Elkhart Phase I, the authorizations under this SECTION are a restatement of and are not in addition to the authorizations under P.L.234-2007, SECTION 179. The four million dollars (\$4,000,000) authorized for Ivy Tech - Elkhart Phase I is in addition to sixteen million dollars (\$16,000,000) authorized under P.L.234-2007, SECTION 179.

2009(ss)-182-45

SECTION 45. (a) Notwithstanding SECTION 244 of HEA 1001-2005, the trustees of Purdue University may, subject to the approvals required by IC 21-33-3, issue and sell bonds under IC 21-34 for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below:

Purdue University North Central Campus	
Parking Garage No. 1	\$8,000,000

(b) The authorization under this SECTION is a restatement of and is not in addition to the authorization under P.L.234-2007, SECTION 186. However, the foregoing project is not eligible for fee replacement appropriations in any year.

2009(ss)-182-46

SECTION 46. There is appropriated three million dollars (\$3,000,000) to the Indiana finance authority from the tobacco master settlement agreement fund (IC 4-12-1-14.3) to carry out architectural and engineering work for a building for a trauma care center in the city of Gary, beginning July 1, 2009, and ending June 30, 2010. Any unencumbered amount remaining from this appropriation at the end of a state fiscal year remains available in subsequent state fiscal years for the purposes for which it is appropriated. Money appropriated under this SECTION may be released after review by the budget committee.

2009(ss)-182-47

SECTION 47. (a) As used in this SECTION, "ARRA" refers to the federal American Recovery and Reinvestment Act of 2009.

(b) As used in this SECTION, "Title I" refers to Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(c) With respect to ARRA funds that are specifically designated for subgrants to local education

agencies based on Title I or incentive grants, the following apply:

(1) The governor and the department of education may take any actions necessary to qualify the state for the ARRA funds related to Title I. If permitted by the ARRA, school corporations shall submit plans to the department of education for approval before spending the ARRA funds related to Title I.

(2) To the extent it does not conflict with federal law or rules or guidelines that would make Indiana ineligible to receive ARRA funds related to Title I, the ARRA funds must be used to support Title I eligible students for the following:

(A) Repair and rehabilitation of facilities.

(B) Upgrading technology or equipment.

(C) Training or professional development.

(D) Summer school or other remediation programs and purposes for which the expenses are one

(1) time in nature and do not increase the base operating expenses of schools to a level that would be difficult to maintain.

(d) The department of education shall review the use of all Title I expenditures to ensure the proper use of Title I funds under federal laws and regulations.

2009(ss)-182-48

SECTION 48. (a) As used in this SECTION, "ARRA" refers to the federal American Recovery and Reinvestment Act of 2009.

(b) With respect to ARRA funds under Division A, Title VIII of the ARRA for special education, the following apply:

(1) The governor and the department of education may take any actions necessary to qualify the state for the ARRA funds under Division A, Title VIII of the ARRA. If permitted by the ARRA, school corporations shall submit plans to the department of education for approval before spending the ARRA funds under Division A, Title VIII of the ARRA.

(2) To the extent it does not conflict with federal law or rules or guidelines that would make Indiana ineligible to receive ARRA funds under Division A, Title VIII of the ARRA, the ARRA funds must be used to support special education students for the following:

(A) Repair and rehabilitation of facilities.

(B) Upgrading technology or equipment, including adaptive technology.

(C) Training or professional development.

(D) Programs and purposes for which the expenses are one (1) time in nature and do not increase the base operating expenses of school corporations to a level that would be difficult to maintain.

(c) The department of education shall review the use of all special education to ensure the proper use of special education funds under federal laws and regulations.

2009(ss)-182-470

SECTION 470. (a) A prepayment rate determined by the department under IC 6-2.5-7 that took effect after December 31, 2008, is legalized and validated.

(b) This SECTION expires December 31, 2009.

2009(ss)-182-471

SECTION 471. IC 6-3-3-12, as amended by this act, applies to taxable years beginning after December 31, 2009.

2009(ss)-182-472

SECTION 472. IC 6-3.1-4-2, as amended by this act, applies to taxable years beginning after December 31, 2009.

2009(ss)-182-473

SECTION 473. (a) IC 36-1-8-17, as added by this act, applies only to a waiver of compensation for calendar years beginning after December 31, 2009.

(b) This SECTION expires January 1, 2012.

2009(ss)-182-474

SECTION 474. (a) IC 6-1.1-4-42, as added by this act, does not apply to assessment dates before January 16, 2009. A rule or guideline of the department of local government finance adopted or issued before April 29, 2009, is void to the extent that the rule or guideline is in conflict with IC 6-1.1-4-42, as added by this act.

(b) This SECTION expires January 1, 2011.

2009(ss)-182-475

SECTION 475. (a) IC 6-1.1-20-1.9, as amended by this act, applies only to a petition requesting the application of the local public question process to bonds or a lease for which the preliminary determination to issue the bonds or enter into the lease is published under IC 6-1.1-20-3.5(b)(2) after June 30, 2009.

(b) This SECTION expires July 1, 2011.

2009(ss)-182-476

SECTION 476. (a) This SECTION applies to a county that had an amount transferred to the county's levy excess fund established under IC 6-1.1-18.5-17 from the county's:

- (1) family and children's fund under P.L.146-2008, SECTION 823(b); and
- (2) children's psychiatric residential treatment services fund under P.L.146-2008, SECTION 824(b).

(b) A county fiscal body may adopt a resolution to transfer the amount referred to in subsection (a) from the county's levy excess fund to the county's rainy day fund established under IC 36-1-8-5.1.

(c) This SECTION expires December 31, 2009.

2009(ss)-182-477

SECTION 477. (a) This SECTION applies to a county that had an April 1, 2009, aggregate balance of at least ten million dollars (\$10,000,000) in the county's:

- (1) family and children's fund (IC 12-19-7 before its repeal); and
- (2) children's psychiatric residential treatment services fund (IC 12-19-7.5 before its repeal).

(b) This SECTION applies to a county after balances have been transferred to the county's levy excess fund established under IC 6-1.1-18.5-17 from the county's:

- (1) family and children's fund under P.L.146-2008, SECTION 823(b); and
- (2) children's psychiatric residential treatment services fund under P.L.146-2008, SECTION 824(b).

(c) As used in this SECTION, "civil taxing unit" has the meaning set forth in:

- (1) IC 6-3.5-1.1-1, if the county adjusted gross income tax is in effect in the county; or
- (2) IC 6-3.5-6-1, if the county adjusted gross income tax is not in effect in the county.

(d) A county fiscal body may adopt a resolution to distribute an amount equal to those transfers referred to in subsection (b) from the county's levy excess fund to the county's rainy day fund established under IC 36-1-8-5.1 and for public safety as follows:

- (1) One million dollars (\$1,000,000) from those transfers referred to in subsection (b) shall be distributed to the county's rainy day fund established under IC 36-1-8-5.1.
- (2) Two-thirds (2/3) of the amount from those transfers referred to in subsection (b) that remains after the distribution under subdivision (1) shall be distributed to civil taxing units in the county to be used for public safety.

(e) Before August 1, 2009, the county auditor shall determine each civil taxing unit's share of the amount referred to in subsection (d)(2) in the same manner that local income tax distributions are determined under:

- (1) IC 6-3.5-1.1-15, if the county adjusted gross income tax is in effect in the county; or

(2) IC 6-3.5-6-18(a)(6), if the county adjusted gross income tax is not in effect in the county. The county auditor shall make the distributions to the civil taxing units in August 2009.

(f) This SECTION expires December 31, 2011.

2009(ss)-182-478

SECTION 478. (a) This SECTION applies only to an entity and to property that meet all of the following conditions:

(1) The entity is a nonprofit religious affiliated school that has been in existence for more than forty-five (45) years in a county containing a consolidated city.

(2) The entity received a gift of real property and improvements that for the assessment date in 2005 was exempt from property taxes under IC 6-1.1-10.

(3) The entity failed to file a timely application under IC 6-1.1-11 for property tax exemption for the property for the assessment date in 2006.

(4) For the assessment dates in 2006, 2007, and 2008:

(A) property owned by the entity would have been eligible for exemption from property taxes if the entity had timely filed an application under IC 6-1.1-11 for property tax exemption for the property; and

(B) the entity's property was subject to taxation.

(b) Notwithstanding IC 6-1.1-11 or any other law specifying the date by which an application or statement for property tax exemption must be filed to claim or continue an exemption for a particular assessment date, an entity described in subsection (a) may before September 1, 2009, file with the county assessor:

(1) an application for property tax exemption for the 2006 assessment date;

(2) a statement to continue the property tax exemption for the 2007 assessment date; and

(3) an application for property tax exemption for the 2008 assessment date.

(c) Notwithstanding IC 6-1.1-11 or any other law, an application or statement for property tax exemption filed under subsection (b) is considered to be timely filed, and the county assessor shall forward the applications and statement to the county property tax assessment board of appeals for review. The board shall grant an exemption claimed for the assessment dates in 2006, 2007, and 2008 for property tax exemption if the board determines that:

(1) the entity's applications and statement for property tax exemption satisfy the requirements of this SECTION; and

(2) the entity's property was, except for the failure to timely file an application or statement for property tax exemption, otherwise eligible for the claimed exemption.

If an entity is granted an exemption under this SECTION, any unpaid property tax liability, including interest, for the entity's property shall be canceled by the county treasurer.

(d) If an entity has previously paid the tax liability for property with respect to the 2006, 2007, or 2008 assessment date and the property is granted an exemption under this SECTION for the assessment date, the county auditor shall issue a refund of the property tax paid by the entity. An entity is not required to apply for any refund due under this SECTION. The county auditor shall, without an appropriation being required, issue a warrant to the entity payable from the county general fund for the amount of the refund, if any, due the entity. No interest is payable on the refund.

(e) This SECTION expires January 1, 2010.

2009(ss)-182-479

(1) an entity that failed, for an assessment date after March 1, 2000, to:

(A) file a timely application under IC 6-1.1-11 for an exemption under IC 6-1.1-10-16; or

(B) accompany a timely filed application for an exemption under IC 6-1.1-10-16 with sufficient information for the county property tax assessment board of appeals to determine whether the applicant was eligible for an exemption under IC 6-1.1-10-16, as specified on a response from the county assessor or property tax assessment board of appeals; and

(2) any part of the entity's property that would have qualified for an exemption under IC 6-1.1-10-16 as property owned, occupied, and predominately used for a charitable purpose, if the omissions described in subdivision (1) had not occurred.

(b) Notwithstanding IC 6-1.1-11 or any other law, an entity described in subsection (a) may, before September 1, 2009, file or refile with the county assessor an application for a property tax exemption under IC 6-1.1-10-16 for an assessment date occurring after March 1, 2000, and before March 1, 2010.

(c) Notwithstanding IC 6-1.1-11 or any other law, an application for a property tax exemption that is filed under subsection (b) is considered to be timely filed for the assessment date for which it is filed, and the county assessor shall forward the application to the county property tax assessment board of appeals for review or reconsideration. The board shall grant an exemption claimed under this SECTION for the assessment date covered by the application if, after reviewing all of the information submitted by the applicant, the board determines that:

(1) the entity's application for a property tax exemption satisfies the requirements of this SECTION; and

(2) except for the omissions described in subsection (a), part or all of the entity's property would otherwise have qualified for an exemption under IC 6-1.1-10-16 for the assessment date covered by the application.

IC 6-1.1-11-7 and IC 6-1.1-15-3 apply to a determination under this SECTION.

(d) Notwithstanding IC 6-1.1-22-9 or any other law, if an exemption application is filed or refiled under this SECTION and an exemption under IC 6-1.1-10 had been granted for the property for property taxes first due and payable for any year after 1999, any unpaid taxes imposed on property and for a year covered by an exemption application are not due until thirty (30) days after the date the applicant's eligibility for the exemption under this SECTION is finally adjudicated and determined and a revised tax statement under IC 6-1.1-22-8.1 that reflects the final determination concerning the exemption application is delivered to the owner. During the pendency of the proceedings concerning an exemption application under this SECTION, no action under IC 6-1.1-24 or another law may be taken to collect the unpaid taxes for a year covered by the exemption application, including any action to sell the property at a tax sale. If an entity is granted an exemption or a partial exemption under this SECTION, any unpaid property tax liability, including interest, for the entity's property shall be canceled by the county auditor and the county treasurer to the extent of the exemption, and, notwithstanding IC 6-1.1-26-1, if the entity has previously paid the tax liability for property with respect to the assessment date covered by the application, the county auditor shall issue a refund of the property tax paid by the entity to the extent of the exemption. No interest or penalty shall be imposed on any tax liability remaining after the application of the exemption for any period before the taxes are due as provided in this subsection. An entity is not required to apply for any refund due under this SECTION. The county auditor shall, without an appropriation being required, issue a warrant to the entity payable from the county general fund for the amount of the refund, if any, due the entity. No interest is payable on the refund.

(e) This SECTION expires January 1, 2010.

2009(ss)-182-480

SECTION 480. (a) This SECTION applies only to a church and to land that meets all of the following conditions:

(1) The church owns real property and improvements located in a county containing a consolidated city that was exempt from property taxation under IC 6-1.1-10 for the assessment dates in 2007 and 2008.

(2) The church purchased land that is located adjacent to the real property described in subdivision (1) after the 2007 assessment date but before the final tax statements for taxes first due and payable in 2007 were mailed.

(3) The church failed to timely file an application under IC 6-1.1-11 for a property tax exemption for the land described in subdivision (2) for the 2008 assessment date but filed in 2008 an exemption application that will first apply to the 2009 assessment date under IC 6-1.1-11.

(4) For the assessment date in 2008:

(A) the land owned by the church would have been eligible for exemption from property taxes if the church had timely filed an application under IC 6-1.1-11 for a property tax exemption for the land; and

(B) the church's property will be subject to assessment and taxation.

(b) Notwithstanding IC 6-1.1-11 or any other law specifying the date by which an application for property tax exemption must be filed to claim an exemption for the 2008 assessment date, a church described in subsection (a) may before September 1, 2009, file with the county assessor an application for property tax exemption for the 2008 assessment date.

(c) Notwithstanding IC 6-1.1-11 or any other law, an application for a property tax exemption that is filed under subsection (b) is considered to be timely filed for the 2008 assessment date, and the county assessor shall forward the application to the county property tax assessment board of appeals for review. The board shall grant an exemption claimed for the 2008 assessment date if the board determines that:

(1) the church's application for property tax exemption satisfies the requirements of this SECTION; and

(2) the church's land was, except for the failure to timely file an application for a property tax exemption, otherwise eligible for the claimed exemption on the 2008 assessment date.

(d) This SECTION expires January 1, 2010.

2009(ss)-182-481

SECTION 481. (a) The definitions in IC 6-1.1-20 apply to this SECTION.

(b) This SECTION applies to a controlled project for which notice of a special election was given before July 1, 2009, to the election division of the office of the secretary of state as provided in IC 3-10-8-4.

(c) Notwithstanding the form of the question required by IC 6-1.1-20-3.6, as amended by this act, the following question shall be submitted to the voters at a special election described in subsection (b):

"Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert the name of the controlled project)?"

(d) This SECTION expires January 1, 2010.

2009(ss)-182-482

SECTION 482. (a) Notwithstanding any provision in IC 6-3.5-1.1 (including the August 1 deadlines applicable under IC 6-3.5-1.1-24(a), IC 6-3.5-1.1-24(b), IC 6-3.5-1.1-25(i), and IC 6-3.5-1.1-26(e)), a county council may in 2009 adopt an additional county adjusted gross income tax rate under IC 6-3.5-1.1-24, IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26 at any time before November 1, 2009.

(b) Notwithstanding any provision in IC 6-3.5-6 (including the August 1 deadlines applicable under IC 6-3.5-6-30(a), IC 6-3.5-6-30(b), IC 6-3.5-6-31(i), and IC 6-3.5-6-32(e)), a county income tax council or county council, as applicable, may in 2009 adopt an additional county option income tax rate under IC 6-3.5-6-30, IC 6-3.5-6-31, or IC 6-3.5-6-32 at any time before November 1, 2009.

(c) Notwithstanding any provision of IC 6-3.5-1.1 or IC 6-3.5-6, any additional county adjusted gross income tax rate adopted in 2009 under IC 6-3.5-1.1-24, IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26 and any additional county option income tax rate adopted in 2009 under IC 6-3.5-6-30, IC 6-3.5-6-31, or IC 6-3.5-6-32 takes effect as follows:

(1) In the case of an ordinance adopted before October 1, 2009, the tax rate takes effect October 1, 2009.

(2) In the case of an ordinance adopted after September 30, 2009, and before October 16, 2009, the tax rate takes effect November 1, 2009.

(3) In the case of an ordinance adopted after October 15, 2009, and before November 1, 2009, the tax rate takes effect December 1, 2009.

2009(ss)-182-483

SECTION 483. (a) The department of education shall, on the schedule determined by the department of

education, adjust the special education grant distributed to a school corporation under IC 20-43-7-6, as amended by this act, in 2009 to reflect any special education preschool grant distributions made to the school corporation under IC 20-20-34-3 before the effective date of this SECTION. The amount of any reduction in a special education grant under this SECTION shall not be considered for purposes of applying IC 20-43-2-3. The unencumbered balance of a school corporation's special education preschool fund shall be transferred to the school corporation's general fund for purposes of the school corporation's general fund as soon as practicable after the effective date of this SECTION.

(b) This SECTION expires January 1, 2010.

2009(ss)-182-484

SECTION 484. (a) Appeals under IC 6-1.1-8.5-11 or IC 6-1.1-8.7-8 of assessments by the department of local government finance for assessment dates before March 1, 2009, that are currently pending before the Indiana board of tax review shall be treated as follows:

(1) Appeals involving the March 1, 2006, assessment date shall proceed as if the amendments to IC 6-1.1-8.5-11 and IC 6-1.1-8.7-8 made by this act had not been made.

(2) Notwithstanding any provision to the contrary, an appeal of the department of local government finance's assessment of an industrial facility (as defined in IC 6-1.1-8.5-2 or IC 6-1.1-8.7-2) involving the March 1, 2007, or March 1, 2008, assessment date shall be stayed, if an appeal involving the March 1, 2006, assessment of that same industrial facility is currently pending before the Indiana board of tax review. The stay remains in effect until the March 1, 2006, assessment of that same industrial facility has been finally determined by the Indiana tax court or the Indiana supreme court.

(b) Notwithstanding any provision to the contrary, the assessed value of an industrial facility (as defined in IC 6-1.1-8.5-2 or IC 6-1.1-8.7-2) that has been assessed by the department of local government finance under IC 6-1.1-8.5 or IC 6-1.1-8.7 for the March 1, 2007, and March 1, 2008, assessment dates may not exceed the assessed value that is or was:

(1) finally determined on appeal; or

(2) agreed to by the owner of the industrial facility and:

(A) the appropriate township assessor or township assessors; or

(B) the appropriate county assessor;

for that same industrial facility for the March 1, 2006, assessment date, subject to any applicable annual adjustment percentage determined under IC 6-1.1-4-4.5, plus any additions to and less any deletions from the industrial facility's land and improvements as of the March 1, 2007, and March 1, 2008, assessment dates, since the March 1, 2006, assessment date.

(c) This SECTION expires January 1, 2014.

2009(ss)-182-485

SECTION 485. (a) This SECTION applies to a fire protection district that:

(1) was initially established in 2006;

(2) has experienced significant revenue shortfalls due to cumulative mathematical errors in the calculation of its maximum permissible property tax levies in 2007 and 2008; and

(3) may experience a significant revenue shortfall in 2009 and 2010, requiring the district to seek funds in addition to the amounts certified for the district's current budget to provide fire protection to district residents.

(b) A fire protection district described in this SECTION may borrow a specified amount of money if:

(1) the board of fire trustees of the district finds that:

(A) an emergency exists requiring the expenditure of money not included in the district's budget estimates and levy; and

(B) the emergency requiring the expenditure of money is related to paying the operating expenses of the district; and

(2) the fiscal body of the county approves the expenditure of the money.

(c) A fire protection district shall comply with IC 36-8-11-17 with respect to a borrowing under this

SECTION.

(d) The county fiscal body shall levy property taxes in an amount sufficient to cover payments due under the borrowing authorized under this SECTION.

(e) This SECTION expires December 31, 2011.

2009(ss)-182-486

SECTION 486. (a) As used in this SECTION, "continuing care retirement community" means a health care facility that:

- (1) provides independent living services and health facility services in a campus setting with common areas;
- (2) holds continuing care agreements with at least twenty-five percent (25%) of its residents (as defined in IC 23-2-4-1);
- (3) uses the money from the agreements described in subdivision (2) to provide services to the resident before the resident may be eligible for Medicaid under IC 12-15; and
- (4) meets the requirements of IC 23-2-4.

(b) As used in this SECTION, "health facility" refers to a health facility that is licensed under IC 16-28 as a comprehensive care facility.

(c) As used in this SECTION, "nursing facility" means a health facility that is certified for participation in the federal Medicaid program under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.).

(d) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(e) Effective August 1, 2003, the office shall collect a quality assessment from each health facility. The office shall offset the collection of the assessment for a health facility:

- (1) against a Medicaid payment to the health facility by the office; or
- (2) in another manner determined by the office.

(f) The office shall implement the waiver approved by the United States Centers for Medicare and Medicaid Services that provides for an exemption from collection of a quality assessment from the following:

- (1) A continuing care retirement community as follows:
 - (A) A continuing care retirement community that was registered with the securities commissioner as a continuing care retirement community on January 1, 2007, is not required to meet the definition of a continuing care retirement community in subsection (a).
 - (B) A continuing care retirement community that, for the period January 1, 2007, through June 30, 2009, operates independent living units, at least twenty-five percent (25%) of which are provided under contracts that require the payment of a minimum entrance fee of at least twenty-five thousand dollars (\$25,000).
 - (C) An organization registered under IC 23-2-4 before July 1, 2009, that provides housing in an independent living unit for a religious order.
 - (D) A continuing care retirement community that meets the definition set forth in subsection (a).
- (2) A hospital based health facility.
- (3) The Indiana Veterans' Home.

Any revision to the state plan amendment or waiver request under this subsection is subject to and must comply with the provisions of this SECTION.

(g) If the United States Centers for Medicare and Medicaid Services determines not to approve payments under this SECTION using the methodology described in subsections (d) and (e), the office shall revise the state plan amendment and waiver request submitted under this SECTION as soon as possible to demonstrate compliance with 42 CFR 433.68(e)(2)(ii) and to provide for collection of a quality assessment from health facilities effective August 1, 2003.

(h) The money collected from the quality assessment may be used only to pay the state's share of the costs for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396

et seq.) as follows:

- (1) At the following percentages when the state's regular federal medical assistance percentage (FMAP) applies, excluding the time frame in which the adjusted FMAP is provided to the state by the federal American Recovery and Reinvestment Act of 2009:
 - (A) Twenty percent (20%) as determined by the office.
 - (B) Eighty percent (80%) to nursing facilities.
- (2) At the following percentages when the state's federal medical assistance percentage (FMAP) is adjusted by the federal American Recovery and Reinvestment Act of 2009:
 - (A) Forty percent (40%) as determined by the office.
 - (B) Sixty percent (60%) to nursing facilities.
- (i) After:
 - (1) the amendment to the state plan and waiver request submitted under this SECTION is approved by the United States Centers for Medicare and Medicaid Services; and
 - (2) the office calculates and begins paying enhanced reimbursement rates set forth in this SECTION; the office shall begin the collection of the quality assessment set under this SECTION. The office may establish a method to allow a facility to enter into an agreement to pay the quality assessment collected under this SECTION subject to an installment plan.
- (j) If federal financial participation becomes unavailable to match money collected from the quality assessments for the purpose of enhancing reimbursement to nursing facilities for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.), the office shall cease collection of the quality assessment under this SECTION.
- (k) To implement this SECTION, the office shall adopt rules under IC 4-22-2.
- (l) Not later than July 1, 2003, the office shall do the following:
 - (1) Request the United States Department of Health and Human Services under 42 CFR 433.72 to approve waivers of 42 CFR 433.68(c) and 42 CFR 433.68(d) by demonstrating compliance with 42 CFR 433.68(e)(2)(ii).
 - (2) Submit any state Medicaid plan amendments to the United States Department of Health and Human Services that are necessary to implement this SECTION.
- (m) After approval of the waivers and state Medicaid plan amendment applied for under this SECTION, the office shall implement this SECTION effective July 1, 2003.
- (n) The select joint commission on Medicaid oversight, established by IC 2-5-26-3, shall review the implementation of this SECTION. The office may not make any change to the reimbursement for nursing facilities unless the select joint commission on Medicaid oversight recommends the reimbursement change.
- (o) A nursing facility or a health facility may not charge the facility's residents for the amount of the quality assessment that the facility pays under this SECTION.
- (p) The office may withdraw a state plan amendment submitted under this SECTION only if the office determines that failure to withdraw the state plan amendment will result in the expenditure of state funds not funded by the quality assessment.
- (q) If a health facility fails to pay the quality assessment under this SECTION not later than ten (10) days after the date the payment is due, the health facility shall pay interest on the quality assessment at the same rate as determined under IC 12-15-21-3(6)(A).
- (r) The office shall report to the state department of health each nursing facility and each health facility that fails to pay the quality assessment under this SECTION not later than one hundred twenty (120) days after payment of the quality assessment is due.
- (s) The state department of health shall do the following:
 - (1) Notify each nursing facility and each health facility reported under subsection (r) that the nursing facility's or health facility's license under IC 16-28 will be revoked if the quality assessment is not paid.
 - (2) Revoke the nursing facility's or health facility's license under IC 16-28 if the nursing facility or the health facility fails to pay the quality assessment.

(t) An action taken under subsection (s)(2) is governed by:

(1) IC 4-21.5-3-8; or

(2) IC 4-21.5-4.

(u) The office shall report the following information to the select joint commission on Medicaid oversight established by IC 2-5-26-3 at every meeting of the commission:

(1) Before the quality assessment is approved by the United States Centers for Medicare and Medicaid Services:

(A) an update on the progress in receiving approval for the quality assessment; and

(B) a summary of any discussions with the United States Centers for Medicare and Medicaid Services.

(2) After the quality assessment has been approved by the United States Centers for Medicare and Medicaid Services:

(A) an update on the collection of the quality assessment;

(B) a summary of the quality assessment payments owed by a nursing facility or a health facility; and

(C) any other relevant information related to the implementation of the quality assessment.

(v) This SECTION expires August 1, 2011.

2009(ss)-182-487

SECTION 487. (a) The department of education and the state department of revenue may adopt temporary rules in the manner provided in IC 4-22-2-37.1 for the adoption of emergency rules to implement IC 20-51, as added by this act. A temporary rule adopted under this SECTION expires on the earliest of the following:

(1) The date another temporary rule is adopted under this SECTION that supersedes or repeals the previously adopted temporary rule.

(2) The date that a permanent rule adopted under IC 4-22-2 supersedes or repeals a temporary rule adopted under this SECTION.

(3) The date specified in the temporary rule.

(4) June 30, 2011.

(b) This SECTION expires July 1, 2011.

2009(ss)-182-488

SECTION 488. IC 6-3.1-30.5, as added by this act, applies to contributions made in taxable years beginning after December 31, 2009.

2009(ss)-182-489

SECTION 489. (a) The commission for higher education with the assistance of the state student assistance commission shall study the funding of college scholarship programs provided by the state student assistance commission and the state's public universities. The study must examine the following issues:

(1) The limits established for awards and the differences between the limits established for private and public universities.

(2) The extent to which criteria for establishing the eligibility of an applicant should consider receipt of Pell Grants, other wrap-around assistance provided by a university, tax credits, and other assistance.

(3) The relative amounts of assistance provided on the basis of merit and on the basis of need.

(4) Whether means tests should be required for students participating in the twenty-first century scholars program as those students enter college.

(5) Scholarships and awards provided for members of the military and national guard.

(6) Scholarships and awards provided to individuals being held in state correctional facilities.

(b) The state's public universities shall provide the commission for higher education with the data

necessary to complete the study. The commission shall before June 30, 2010, provide a report and recommendations to the budget committee for modernizing and improving scholarship programs.

(c) This SECTION expires January 1, 2011.

2009(ss)-182-490

SECTION 490. (a) As used in this SECTION, "committee" refers to the gaming study committee established under subsection (b).

(b) The gaming study committee is established.

(c) The committee shall during the 2009 legislative interim prepare a market analysis of gaming in Indiana to determine viability and profitability in light of gaming in Michigan and Illinois and the potential of gaming in Ohio and Kentucky.

(d) The committee shall during the 2009 legislative interim conduct a comprehensive study of issues related to gaming in Indiana, including a review of the following issues:

- (1) Admission taxes for riverboats.
- (2) Competition from out of state gaming entities.
- (3) Waivers for gaming tournaments.
- (4) Land-based gaming.
- (5) Non-smoking accommodations.
- (6) Restrictions on alcohol prizes.
- (7) Authority to regulate type 2 gaming in for-profit ventures.
- (8) A referendum concerning gaming in the city of Fort Wayne.
- (9) Competition from tribal-operated casinos.
- (10) Issues related to the riverboat in French Lick, including modification of trust payments, subsidies paid by other gaming facilities, and land-based gaming.
- (11) The movement of riverboats in the city of Gary to new locations.
- (12) The need to retain United States Coast Guard compliant marine navigation systems.
- (13) Whether permit holders holding a gambling game license issued under IC 4-35-5 (racinos) are properly promoting and supporting the horse racing activities at the site.
- (14) Issues related to permit holders holding a gambling game license issued under IC 4-35-5 (racinos), including table games, double taxation, amounts paid to horsemen's associations, bonds, slot machines, and satellite locations.
- (15) Gaming license fees and suppliers' license fees.
- (16) Parity of confidentiality rules for riverboat gaming licensees and permit holders holding a gambling game license issued under IC 4-35-5 (racinos).
- (17) Campaign contribution ban for riverboat gaming licensees.

(e) The committee consists of the following voting members:

- (1) The chairperson of the senate committee on appropriations.
- (2) The ranking minority member of the senate committee on appropriations.
- (3) The chairperson of the house committee on ways and means.
- (4) The ranking minority member of the house committee on ways and means.
- (5) The chairperson of the senate committee on commerce.
- (6) The ranking minority member of the senate committee on commerce.
- (7) The chairperson of the house committee on public policy.
- (8) The ranking minority member of the house committee on public policy.

In addition, the committee shall include two (2) nonvoting members who are individuals who are not members of the general assembly, one (1) appointed by the speaker of the house of representatives and one (1) appointed by the president pro tempore of the senate. The nonvoting members must have experience or training in financial matters.

(g) The chairperson of the senate committee on appropriations and the chairperson of the house committee on ways and means are the co-chairpersons of the committee.

(h) Except as provided in this SECTION, the committee shall operate under the policies governing study committees adopted by the legislative council.

(i) The committee shall before December 1, 2009, submit a report of its findings and any recommendations to the legislative council.

(j) This SECTION expires July 1, 2010.

2009(ss)-182-491

SECTION 491. (a) The legislative council shall appoint a committee or assign to a study committee the task of studying the mission, organization, and management structure of the I-Light fiber optic network. The study shall include the following issues:

(1) Whether the capabilities of the network are being used in a manner that maximizes benefits to the state, public and private universities, and other existing and potential consortium members.

(2) Whether an alternate provider could provide comparable service levels at a lower cost to the state.

(3) Whether there are opportunities for increased use of the network to support electronic learning, worker training, and workforce development.

(b) A public university that uses or benefits from the I-Light fiber optic network must provide to the committee and the legislative council any information concerning the network that is requested by the committee.

(c) The committee shall operate under the rules of the legislative council. The committee shall before November 1, 2009, submit a report of its findings and any recommendations to the governor and (in an electronic format under IC 5-14-6) to the legislative council.

(d) This SECTION expires July 1, 2010.

2009(ss)-182-492

SECTION 492. (a) The commission on state tax and financing policy established under IC 2-5-3 shall do the following during the interim in 2009 between sessions of the general assembly:

(1) Study the allocation and distribution of county adjusted gross income taxes (IC 6-3.5-1.1), county option income taxes (IC 6-3.5-6), and county economic development income taxes (IC 6-3.5-7) to civil taxing units within a county.

(2) Study whether taxpayers are permitted an appropriate opportunity to participate in the process for determining the levies, tax rates, special assessments, special benefits taxes, and budgets imposed by political subdivisions.

(3) Receive a report from the attorney general concerning the guidelines the attorney general used to determine whether a political subdivision may use private outside legal counsel in an appeal of a tax case. The attorney general shall, as requested by the commission on state tax and financing policy make a presentation to the commission concerning the matters described in this subdivision.

(4) Study the advisability of eliminating the general reassessment of real property under the current schedule and requiring counties to develop plans for the annual assessment of a fixed percentage of the parcels within each class of real property in the county.

(5) Review recommendations from the department of local government finance concerning the actions necessary to restore timelines to the process of local budgeting and the imposition of property taxes.

(b) Before November 1, 2009, the commission on state tax and financing policy shall report its findings and any recommendations concerning the study topic described in subsection (a) in a final report to the legislative council in an electronic format under IC 5-14-6.

(c) This SECTION expires January 1, 2010.

2009(ss)-182-493

SECTION 493. (a) As used in this SECTION, "commission" refers to the criminal code evaluation commission established by subsection (b).

(b) The criminal code evaluation commission is established to evaluate the criminal laws of Indiana. If, based on the commission's evaluation, the commission determines that changes are necessary or appropriate, the commission shall make recommendations to the general assembly for the modification of the criminal laws.

(c) The commission may study other topics assigned by the legislative council or as directed by the commission chair.

(d) The commission may meet during the months of:

- (1) July, August, and September of 2009;
- (2) April, May, June, July, August, and September of 2010; and
- (3) June, July, August, and September of 2011.

(e) The commission consists of seventeen (17) members appointed as follows:

- (1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.
- (2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.
- (3) The attorney general or the attorney general's designee.
- (4) The commissioner of the department of correction or the commissioner's designee.
- (5) The executive director of the prosecuting attorneys council of Indiana or the executive director's designee.
- (6) The executive director of the public defender council of Indiana or the executive director's designee.
- (7) The chief justice of the supreme court or the chief justice's designee.
- (8) Two (2) judges who exercise criminal jurisdiction, who may not be affiliated with the same political party, to be appointed by the governor.
- (9) Two (2) professors employed by a law school in Indiana whose expertise includes criminal law, to be appointed by the governor.

(f) The chairman of the legislative council shall appoint a legislative member of the commission to serve as chair of the commission. Whenever there is a new chairman of the legislative council, the new chairman may remove the chair of the commission and appoint another chair.

(g) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the commission.

(h) A legislative member of the commission may be removed at any time by the appointing authority who appointed the legislative member.

(i) If a vacancy exists on the commission, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(j) The commission shall submit a final report of the results of its study to the legislative council before November 1, 2011. The report must be in an electronic format under IC 5-14-6.

(k) The Indiana criminal justice institute shall provide staff support to the commission to prepare:

- (1) minutes of each meeting; and
- (2) the final report.

(l) The legislative services agency shall provide staff support to the commission to:

- (1) advise the commission on legal matters, criminal procedures, and legal research; and
- (2) draft potential legislation.

(m) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(n) The affirmative votes of a majority of all the members who serve on the commission are required for the commission to take action on any measure, including the final report.

(o) Except as otherwise specifically provided by this SECTION, the commission shall operate under the rules of the legislative council. All funds necessary to carry out this SECTION shall be paid from appropriations to the legislative council and the legislative services agency.

(p) This SECTION expires December 31, 2011.

2009(ss)-182-494

SECTION 494. (a) The budget agency shall review the costs of providing employee health, vision, and dental insurance for state employees and employees of school corporations and public universities. In conducting the review the budget agency shall collect data on the cost of existing plans offered by the state, school corporations, and public universities. School corporations and public universities shall provide the data needed to complete the review as requested by the budget agency. The budget agency shall review the following:

- (1) Comparative costs of providing health insurance among the employer groups.
- (2) Comparative benefits among the employee groups.
- (3) Differences in amounts paid by employees and amounts paid by the employers.
- (4) Opportunities to modernize health plans and take advantage of employee tax incentives in the delivery of health insurance plans.
- (5) Opportunities for efficiencies and cost savings for employers and employees by creating additional or larger employee pools.
- (6) Any impact on the competitive market for health insurance.
- (7) Other factors the budget agency considers relevant to the review.

(b) The budget agency may use a part of the departmental and institutional contingency fund to hire professionals to assist in gathering and examining data. The budget agency shall report findings of the review to the budget committee before July 1, 2010.

(c) This SECTION expires January 1, 2011.

2009(ss)-182-495

SECTION 495. The department of state revenue shall conduct a study of the feasibility of changing the design and method for verifying, tracking, and tracing cigarette stamps (as defined in IC 6-7-1-9), including issues related to the use of electronic cigarette stamp readers, to incorporate the latest technical advances used by other states to reduce counterfeiting and misuse of cigarette stamps. The study must at least:

- (1) describe the changes that could be made;
- (2) describe the sources where necessary products and services could be obtained, including whether there is more than one (1) potential source for necessary products and services;
- (3) describe and estimate the capital and operating costs necessary to implement a new system;
- (4) estimate the likely effects on revenue collection and evaluate any other benefits that would accrue from implementing a new system; and
- (5) if beneficial to the state, estimate a schedule on which a conversion could be made and describe any changes in statutory law that would be necessary to implement the changes.

The department shall pay for the study from unrestricted funds that are otherwise available to the department of state revenue. The department of state revenue shall report the results of the study to the legislative council in an electronic format under IC 5-14-6 before November 1, 2009.

2009(ss)-182-496

SECTION 496. (a) Notwithstanding any other law and except as provided in subsection (b), the terms of all members of the Marion County capital improvement board under IC 36-10-9-4, before its amendment by this act, terminate on January 15, 2010. Each appointing authority shall make its respective appointments under IC 36-10-9-4, as amended by this act, before January 15, 2010, and the term of each of these appointed members begins January 15, 2010.

(b) The term of one (1) of the members appointed by the Marion County board of commissioners to the Marion County capital improvement board under IC 36-10-9-4, before its amendment by this act, terminates on July 1, 2009. The Marion County board of commissioners shall specify which one (1) of the members appointed by the Marion County board of commissioners under IC 36-10-9-4, before its

amendment by this act, to the Marion County capital improvement board shall have the member's term terminated on July 1, 2009. After June 30, 2009, the Marion County board of commissioners has only one (1) appointment to the Marion County capital improvement board.

(c) This SECTION expires July 1, 2010.

2009(ss)-182-497

SECTION 497. (a) For property taxes first due and payable after December 31, 2008, the department of local government finance shall reduce the maximum permissible ad valorem property tax levy of any civil taxing unit and special service district by the amount of the payment to be made in 2009 by the state of Indiana under IC 5-10.3-11, as amended by this act, for benefits to members (and survivors and beneficiaries of members) of the 1925 police pension fund, the 1937 firefighters' pension fund, or the 1953 police pension fund.

(b) It is the intent of the general assembly that this SECTION be applied in the manner specified by the department of local government finance in its memorandum "Pre-1977 Police and Firefighters' Pension" dated July 23, 2008. An action taken in conformity with the memorandum is legalized and validated.

(c) This SECTION expires January 1, 2011.

2009(ss)-182-498

SECTION 498. (a) Notwithstanding any other law or agreement, Brown County School Corporation is not required to make principal or interest payments during the state fiscal years beginning:

(1) July 1, 2009; and

(2) July 1, 2010;

on any loan received by the school corporation from the counter-cyclical revenue and economic stabilization fund (rainy day fund).

(b) The repayment term of the loan shall be extended as necessary to take into account the waiver described in subsection (a).

(c) This SECTION expires January 1, 2012.

2009(ss)-182-499

SECTION 499. (a) For purposes of IC 1-1-3.5, the population of the town of Fairland in Shelby County is considered to be 325.

(b) This SECTION expires April 1, 2011.

2009(ss)-182-500

SECTION 500. (a) The definitions in IC 6-1.1-1-1, IC 6-1.1-20.9 (before its repeal), and IC 6-1.1-21 (before its repeal) apply throughout this SECTION.

(b) A taxpayer that is entitled to a standard deduction under IC 6-1.1-12-37 for property taxes assessed for the March 1, 2008, and January 15, 2009, assessment dates is entitled to a homestead credit under this SECTION against the property tax liability (as described in IC 6-1.1-21-5 (before its repeal)) imposed against the taxpayer's homestead for the March 1, 2008, and January 15, 2009, assessment dates.

(c) The amount of the credit to which an owner is entitled under this SECTION equals the product of:

(1) the percentage prescribed in subsection (d)(3); multiplied by

(2) the amount of the individual's property tax liability (as described in IC 6-1.1-21-5 (before its repeal)) that is:

(A) attributable to the homestead during the particular calendar year; and

(B) determined after the application of all deductions from assessed valuation that the owner claims under IC 6-1.1-12 or IC 6-1.1-12.1 for property and the property tax replacement credit under IC 6-1.1-21.

(d) The county auditor of each county shall determine:

(1) the amount of the county's homestead credit allotment determined under subsection (e);

- (2) the amount of uniformly applied homestead credits for the year in the county that equals the amount determined under subdivision (1); and
- (3) the percentage of homestead credit that equates to the amount of homestead credits determined under subdivision (2).
- (e) There is granted under this SECTION a total of one hundred forty million dollars (\$140,000,000) of homestead credits. The homestead credits shall be distributed to each county as prescribed in subsection (f). Before distribution, the department of local government finance shall certify each county's homestead credit allotment to the department of state revenue and to each county auditor.
- (f) Each county's certified homestead credit allotment, which shall be calculated by the budget agency, shall be determined under the following STEPS:
 - STEP ONE: For each county, determine the total property tax liability of all homestead properties in the county for the most recent calendar year before the application of any credits.
 - STEP TWO: For each county, determine the total property tax liability of all homestead properties resulting from property tax levies that are eliminated or replaced by this act for the most recent calendar year, before the application of any credits.
 - STEP THREE: Subtract the STEP TWO amount from the STEP ONE amount.
 - STEP FOUR: Determine the sum of the amounts determined under STEP THREE.
 - STEP FIVE: Divide the amount determined in STEP THREE by the amount determined in STEP FOUR.
 - STEP SIX: Multiply the result of STEP THREE by one hundred forty million dollars (\$140,000,000).
- (g) Each county's homestead credit allotment authorized in this SECTION shall be distributed to that county in two (2) equal installments. The first installment shall be distributed not later than the first due date for property taxes payable in the county. The second installment shall be distributed not later than the second due date for property taxes payable in the county.
- (h) In addition to any other appropriations, there is appropriated one hundred forty million dollars (\$140,000,000) from the state general fund to make distributions for the homestead credits provided by this SECTION for property taxes assessed for the March 1, 2008, and January 15, 2009, assessment dates. Money distributed under this subsection shall be treated as property taxes for all purposes.
- (i) The department of local government finance, the department of state revenue, and the budget agency shall take the actions necessary to carry out this SECTION. The department of local government finance and the budget agency shall make the certifications required under this SECTION based on the best information available at the time the certification is made.

2009(ss)-182-501

SECTION 501. (a) The definitions in IC 6-1.1-1, IC 6-1.1-20.9 (before its repeal), and IC 6-1.1-21 (before its repeal) apply throughout this SECTION.

(b) A taxpayer that is entitled to a standard deduction under IC 6-1.1-12-37 for property taxes assessed for the March 1, 2009, and January 15, 2010, assessment dates is entitled to a homestead credit under this SECTION against the property tax liability (as described in IC 6-1.1-21-5 (before its repeal)) imposed against the taxpayer's homestead for the March 1, 2009, and January 15, 2010, assessment dates.

(c) The amount of the credit to which an owner is entitled under this SECTION equals the product of:

- (1) the percentage prescribed in subsection (d)(3); multiplied by
- (2) the amount of the individual's property tax liability (as described in IC 6-1.1-21-5 (before its repeal)) that is:
 - (A) attributable to the homestead during the particular calendar year; and
 - (B) determined after the application of all deductions from assessed valuation that the owner claims under IC 6-1.1-12 or IC 6-1.1-12.1 for property and the property tax replacement credit under IC 6-1.1-21.

(d) The county auditor of each county shall determine:

- (1) the amount of the county's homestead credit allotment determined under subsection (e);

(2) the amount of uniformly applied homestead credits for the year in the county that equals the amount determined under subdivision (1); and

(3) the percentage of homestead credit that equates to the amount of homestead credits determined under subdivision (2).

(e) There is granted under this SECTION a total of eighty million dollars (\$80,000,000) of homestead credits. The homestead credits shall be distributed to each county as prescribed in subsection (f). Before distribution, the department of local government finance shall certify each county's homestead credit allotment to the department of state revenue and to each county auditor.

(f) Each county's certified homestead credit allotment, which shall be calculated by the budget agency, shall be determined under the following STEPS:

STEP ONE: For each county, determine the total of state homestead credits granted in the county for the most recent calendar year.

STEP TWO: Determine the sum of the amounts determined under STEP ONE.

STEP THREE: Divide the amount determined in STEP ONE by the amount determined in STEP TWO.

STEP FOUR: Multiply the result of STEP THREE by eighty million dollars (\$80,000,000).

(g) Each county's homestead credit allotment authorized in this SECTION shall be distributed to that county in two (2) equal installments. The first installment shall be distributed not later than the first due date for property taxes payable in the county. The second installment shall be distributed not later than the second due date for property taxes payable in the county.

(h) In addition to any other appropriations, there is appropriated eighty million dollars (\$80,000,000) from the state general fund to make distributions for the homestead credits provided by this SECTION for property taxes assessed for the March 1, 2009, and January 15, 2010, assessment dates. Money distributed under this subsection shall be treated as property taxes for all purposes.

(i) The department of local government finance, the department of state revenue, and the budget agency shall take the actions necessary to carry out this SECTION. The department of local government finance and the budget agency shall make the certifications required under this SECTION based on the best information available at the time the certification is made.

2009(ss)-182-502

SECTION 502. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) This SECTION applies to a homestead (as defined in IC 6-1.1-20.9-1, before its repeal) that:

(1) was owned by a trust and occupied by an individual as described in IC 6-1.1-12-17.9 with respect to:

(A) the assessment dates in 2007 and 2008 if the homestead is real property; or

(B) the assessment dates in 2008 and 2009 if the homestead is:

(i) a mobile home; or

(ii) a manufactured home;

that is not assessed as real property; and

(2) received a homestead credit under IC 6-1.1-20.9 (before its repeal) for property taxes first due and payable in 2008.

(c) For property taxes first due and payable in 2010, a homestead is entitled to a credit under this SECTION in the amount of the remainder of:

(1) the amount of property taxes the trust paid with respect to the homestead for taxes first due and payable in 2009; minus

(2) the amount of property taxes for which the trust would have been liable with respect to the homestead for taxes first due and payable in 2009 if for that year the following had applied:

(A) The standard deduction under IC 6-1.1-12-37 in effect on July 1, 2009.

(B) All other deductions and credits that would have applied if the standard deduction under IC 6-1.1-12-37 in effect on July 1, 2009, had applied.

(d) The credit under subsection (c) applies proportionately to all installments of property taxes first due and payable in 2010.

(e) Interest does not apply in the determination of the amount of the credit under this SECTION.

(f) A trust is not required to apply for the credit under this SECTION. The department of local government finance shall prescribe the method of determining the amount of the credit. The county auditor and the county treasurer shall identify the homesteads eligible for the credit and apply the credit.

(g) Subject to IC 6-1.1-17-0.5(e), the county auditor may reduce a taxing unit's assessed value in the manner permitted under IC 6-1.1-17-0.5(d) to enable the taxing unit to absorb the effects of reduced property tax collections for taxes first due and payable in 2010 that are expected to result from credits applied under this SECTION.

(h) This SECTION expires January 1, 2012.

2009(ss)-182-503

SECTION 503. (a) Notwithstanding any other law, a local public question described in subsection (c) shall be placed on the ballot at a special election to be held on November 3, 2009, in the county in which a political subdivision created under IC 16-22-8 is located if:

(1) the board of the political subdivision adopts a resolution requesting the county auditor to certify the public question to the county election board and requesting the county election board to place the public question on the ballot at the special election;

(2) the political subdivision submits the resolution to the county auditor and the county election board before August 1, 2009.

(b) Notwithstanding any other law, a political subdivision created under IC 16-22-8 that meets the requirements of subsection (a) shall, before October 1, 2009:

(1) conduct a public hearing described in IC 6-1.1-20-3.5(b)(1);

(2) adopt a resolution making a preliminary determination to issue the bonds or enter into the lease referred to in the local public question described in subsection (c); and

(3) give notice of the preliminary determination in the manner described in IC 6-1.1-20-3.5(b)(2), with the notice containing the information required by IC 6-1.1-20-3.5(b)(3), except that with respect to the information required by IC 6-1.1-20-3.5(b)(3)(E) the notice need only state that the proposed debt service or lease payments must be approved in an election on the local public question to be held on November 3, 2009.

(c) The local public question under this SECTION shall be as follows:

"Shall the Health and Hospital Corporation of Marion County, Indiana, issue bonds or enter into a lease to finance (insert the description of the project)?"

(d) This SECTION expires December 31, 2009.

2009(ss)-182-504

SECTION 504. (a) This SECTION applies to towns (as defined in IC 36-1-2-21).

(b) The definitions set forth in IC 6-2.3-1 apply to this SECTION.

(c) This SECTION applies only to a taxable year ending in 2003 or 2004.

(d) A town may claim a refund for gross income taxes erroneously paid under IC 6-2.1 (before its repeal), if the town paid both:

(1) the gross income tax imposed by IC 6-2.1 (before its repeal); and

(2) the utilities receipts tax imposed by IC 6-2.3;

for the same taxable year.

(e) The department shall prescribe the form and procedure that a town must use to claim its refund.

(f) This SECTION expires December 31, 2009.

2009(ss)-182-506

SECTION 506. (a) The general assembly may convene a technical session of the general assembly before October 1, 2009.

(b) Only the following may be considered and acted upon during a technical session under this SECTION:

(1) Bills:

(A) enacted during 2009 before the date of the technical session; and

(B) vetoed by the governor.

(2) Bills to correct conflicts among bills enacted during 2009 before the date of the technical session.

(3) Bills to correct technical errors in bills enacted during 2009 before the date of the technical session.

(c) A technical session held under this SECTION must adjourn sine die before the first midnight after it convenes.

(d) A technical session shall convene under this SECTION if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a technical session may meet under subsection (b) exist.

(e) If the general assembly does not meet in a technical session under this SECTION, the general assembly shall consider and act upon vetoes of bills enacted during 2009 at the 2010 second regular session.

(f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, a technical session held under this SECTION is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted during 2009.

(g) This SECTION expires March 15, 2010.

2009-182-512

SECTION 512. (a) The legislative council shall establish a two (2) year study committee to study issues related to the school funding formula.

(b) The study committee shall operate under the rules of the legislative council. The study committee shall before November 1, 2010, submit a report of its findings and any recommendations to the legislative council.

(c) This SECTION expires January 1, 2011.

2009(ss)-182-514

SECTION 514. (a) Notwithstanding SECTION 320 of this act, IC 20-28-11-3(6) and the sentence following IC 20-28-11-3(6) as included in SECTION 320 of this act are replaced with the following language:

"(6) if federal rules, regulations, or directives require the use of collective program results of tests to evaluate educators in order to qualify for those federal funds, collective program results of tests used by any school corporation that would receive federal funds may be used as a factor, but not the sole factor, to evaluate educators. If collective testing results are used as a factor in evaluations by a school corporation, they must be applied to all educators in that school corporation.

Except as provided in subdivision (6), the plan may not provide for an evaluation that is based in whole or in part on the ISTEP program test scores of the students in the school corporation."

(b) The publisher of the Indiana Code shall publish IC 20-28-11-3 as amended by this SECTION.

2009(ss)-182-515

SECTION 515. (a) Notwithstanding SECTION 67 of this act, IC 5-10-8-6.7(g) and IC 5-10-8-6.7(h) are deleted and do not take effect.

(b) The publisher of the Indiana Code shall publish IC 5-10-8-6.7 as amended by this SECTION.

2009(ss)-182-517

SECTION 517. (a) Notwithstanding any other law, the changes made to IC 5-10-8.5-15 by SECTION 69 of this act shall not take effect.

(b) The publisher of the Indiana Code shall publish IC 5-10-8.5-15 without the changes made to that section by SECTION 69 of this act.

2009(ss)-182-518

SECTION 518. Notwithstanding SECTION 40 of this act, the following provision of SECTION 40 of this act is deleted and shall not take effect:

"Of the above authorization for the University of Southern Indiana Teacher Theatre Replacement Project, only eight million dollars (\$8,000,000) is eligible for fee replacement.".